

## SIXTY-EIGHTH DAY

(Continued)

(Wednesday, May 24, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

## HOUSE BILL ON FIRST READING

Mr. Latham moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—102

Adamson.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kyle of Palo Pinto.
of Bexar.	Laird.
Baker.	Latham.
Barrett.	Leonard.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Mackay.
Butler.	Magee.
Calvert.	Mathis.
Camp.	McClain.
Canon.	McCullough.
Chastain.	McDougald.
Coombes.	McKee.
Daniel.	Merritt.
Davidson.	Metcalf.
Dean.	Mitcham.
Devall.	Moffett.
Dunagan.	Moore.
Dwyer.	Morrison.
Engelhard.	Morse.
Fain.	Munson.
Few.	Nicholson.
Ford.	Palmer.
Fuchs.	Parkhouse.
Glass.	Pope.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rollins.
Harris.	Russell.
Hartzog.	Savage.
Head.	Scarborough.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Steward.
Holekamp.	Stovall.
Holland.	Sullivan.
Hoskins.	Tarwater.
Hughes.	Thomas.
James.	Turlington.
Jones of Atascosa.	Van Zandt.

Vaughan.  
Wagstaff.  
Walker.  
Weinert.

Wells.  
Winningham.  
Wood.

## Absent

Alexander.	Johnson
Barron.	of Anderson.
Beck.	Kayton.
Bedford.	Kyle of Hays.
Cathey.	Long.
Caven.	McGregor.
Celaya.	Patterson.
Clayton.	Pavlica.
Colson.	Puryear.
Cowley.	Riddle.
Crossley.	Rogers
Dunlap.	of Ochiltree.
Duvall.	Ross.
Harrison.	Scott.
Hester.	Smith.
Holloway.	Stanfield.
Huddleston.	Stinson.
Hunt.	Tennyson.
Hyder.	Tillery.
Jackson.	Townsend.
Jefferson.	Young.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Latham and Mr. Walker:

H. B. No. 950, A bill to be entitled "An Act prohibiting certain practices in the production of oil and gas within this State; defining the terms 'person,' 'governmental agent,' 'governmental agency,' and 'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; prohibiting the use of any method or device to evade or prevent accurate measurement; prohibiting the removing of oil from the possession or control of producer except from tank or tanks under his control; providing for access by governmental agency at all times for inspection and examination of all oil properties, and likewise providing for access by governmental agency

for inspection, examination, and audit of the records pertaining to all oil properties; etc.; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

#### HOUSE BILL NO. 176 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 176, A bill to be entitled "An Act making an appropriation to reimburse persons, firms, and corporations for losses sustained during the years of 1929 through 1932 by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas of the State requiring such persons, firms, and corporations to pay money for the sterilization of seed and the fumigation of cotton; etc.; and declaring an emergency";

The bill having heretofore been read second time.

Mr. Ray offered the following amendment to the bill:

Amend House Bill No. 176 by adding after Section 1, a new Section to be known as Section 1-a, to read as follows:

"Section 1-a. Provided, that none of the funds appropriated by this Act shall ever be used to reimburse anyone for land not planted to cotton by order of the Pink Bollworm Commission, creating a non-cotton zone."

The amendment was adopted.

Mr. McDougald offered the following amendment to the bill:

Amend House Bill No. 176, page 1, at the end of line 40, by adding the following: "To pay Martin Brothers, Beaumont, Texas, for refund of gasoline tax, \$1,246.62."

Mr. Alsop raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

House Bill No. 176 was then passed to engrossment.

#### HOUSE BILL NO. 176 ON THIRD READING

Mr. Metcalfe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 176 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsop.	Laird.
Baker.	Latham.
Barrett.	Leonard.
Bedford.	Lindsey.
Bourne.	Lotief.
Bradley.	Mackay.
Burns.	Magee.
Butler.	Mathis.
Calvert.	McClain.
Camp.	McGregor.
Canon.	McKee.
Cathey.	Merritt.
Caven.	Metcalfe.
Celaya.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Cowley.	Morse.
Crossley.	Munson.
Dean.	Palmer.
Devall.	Parkhouse.
Dunagan.	Pavlica.
Dwyer.	Puryear.
Engelhard.	Ramsey.
Few.	Ratliff.
Ford.	Ray.
Fuchs.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Griffith.	Roberts.
Haag.	Rollins.
Hankamer.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hicks.	Scarborough.
Hill of Brazoria.	Shannon.
Hodges.	Steward.
Holland.	Stovall.
Holloway.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Thomas.
Hunt.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.
Kayton.	

## Nays—10

Anderson of Bexar.	Reed of Bowie.
Fain.	Rogers of Hunt.
Glass.	Shults.
Greathouse.	Tillery.
Holekamp.	Vaughan.

## Absent

Barron.	Long.
Beck.	McCullough.
Coombes.	McDougald.
Daniel.	Nicholson.
Davidson.	Patterson.
Dunlap.	Pope.
Duvall.	Rogers
Goodman.	of Ochiltree.
Graves.	Scott.
Harman.	Smith.
Harris.	Stanfield.
Harrison.	Stinson.
Hester.	Tennyson.
Hughes.	Young.
Jefferson.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 176 before the House on its third reading and final passage.

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 176 was then passed.

## BILL ORDERED NOT PRINTED

On motion of Mr. Latham, by unanimous consent, House Bill No. 950 was ordered not printed.

## HOUSE BILL NO. 950 ON SECOND READING

On motion of Mr. Latham, the Twenty-four-hour House Rule, relative to printed bills, was suspended for the purpose of considering, at this time, House Bill No. 950.

Mr. Latham moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 950 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—112

Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kayton.
of Bexar.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Barrett.	Laird.
Bedford.	Latham.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Lotief.
Butler.	Mackay.
Calvert.	Magee.
Camp.	Mathis.
Canon.	McClain.
Cathey.	McDougald.
Caven.	McGregor.
Celaya.	McKee.
Clayton.	Merritt.
Colson.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Munson.
Dunagan.	Parkhouse.
Dwyer.	Pavlica.
Engelhard.	Puryear.
Fain.	Ramsey.
Few.	Ratliff.
Ford.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Greathouse.	Roberts.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harman.	Savage.
Harris.	Scarborough.
Hartzog.	Shults.
Head.	Steward.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Thomas.
Holland.	Tillery.
Holloway.	Townsend.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.

## Nays—1

Rogers of Hunt.

## Absent

Adamson.	McCullough.
Barron.	Nicholson.
Beck.	Palmer.
Chastain.	Patterson.
Coombes.	Pope.
Dunlap.	Rogers
Duvall.	of Ochiltree.
Goodman.	Scott.
Graves.	Shannon.
Harrison.	Smith.
Hester.	Stanfield.
Hughes.	Stinson.
Hunt.	Tennyson.
Jefferson.	Walker.
Long.	Young.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

On motion of Mr. Bourne, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 950, A bill to be entitled "An Act prohibiting certain practices in the production of oil and gas within this State; defining the terms 'person,' 'governmental agent,' 'governmental agency,' and 'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; prohibiting the use of any method or device to evade or prevent accurate measurement; prohibiting the removing of oil from the possession or control of producer except from tank or tanks under his control; providing for access by governmental agency at all times for inspection and examination of all oil properties, and likewise providing for access by governmental agency for inspection, examination, and audit of the records pertaining to all oil properties; etc.; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 950 ON THIRD READING

The Speaker then laid House Bill

No. 950 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—115

Adamson.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Latham.
Baker.	Leonard.
Barrett.	Lindsey.
Barron.	Lotief.
Bedford.	Mackay.
Bourne.	Magee.
Bradley.	Mathis.
Burns.	McClain.
Butler.	McDougald.
Calvert.	McKee.
Camp.	Merritt.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Celaya.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Cowley.	Munson.
Crossley.	Parkhouse.
Daniel.	Patterson.
Davidson.	Pavlica.
Dean.	Purveyer.
Devall.	Ramsey.
Dunlap.	Ratliff.
Dunagan.	Ray.
Dwyer.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Ford.	Roberts.
Fuchs.	Rollins.
Glass.	Ross.
Golson.	Russell.
Good.	Savage.
Greathouse.	Scarborough.
Harman.	Shannon.
Harris.	Shults.
Hartzog.	Steward.
Head.	Stinson.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Thomas.
Holland.	Tillery.
Holloway.	Townsend.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hyder.	Wagstaff.
Jackson.	Walker.
James.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.

## Nays—1

Rogers of Hunt.

## Absent

Beck.	Long.
Chastain.	McCullough.
Coombes.	McGregor.
Duvall.	Nicholson.
Goodman.	Palmer.
Graves.	Pope.
Griffith.	Rogers
Haag.	of Ochiltree.
Hankamer.	Scott.
Harrison.	Smith.
Hester.	Stanfield.
Hunt.	Tennyson.
Jefferson.	Young.
Johnson	
of Anderson.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## BILL ORDERED NOT PRINTED

On motion of Mr. Daniel, House Bill No. 949 was ordered not printed.

## HOUSE BILL NO. 949 ON SECOND READING

Mr. Daniel moved that the Twenty-four-hour House Rule, relative to printed bills, be suspended, for the purpose of considering, at this time, House Bill No. 949.

The motion prevailed.

Mr. Daniel moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 949 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—94

Adamson.	Calvert.
Alexander.	Camp.
Alsup.	Canon.
Baker.	Cathey.
Barrett.	Caven.
Barron.	Chastain.
Bedford.	Colson.
Bourne.	Cowley.
Burns.	Crossley.

Daniel.	McClain.
Davidson.	McCullough.
Devall.	McGregor.
Dunagan.	Merritt.
Engelhard.	Metcalfe.
Fain.	Mitcham.
Few.	Moffett.
Ford.	Morrison.
Fuchs.	Munson.
Glass.	Puryear.
Golson.	Ramsey.
Goodman.	Ratliff.
Greathouse.	Ray.
Griffith.	Reed of Bowie.
Haag.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rollins.
Head.	Russell.
Hicks.	Savage.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Sullivant.
Hunt.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Johnson	Tillery.
of Anderson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Walker.
Kyle of Hays.	Weinert.
Laird.	Winningham.
Lindsey.	Wood.
Lotief.	Young.
Magee.	

## Nays—14

Coombes.	Parkhouse.
Hankamer.	Patterson.
Hyder.	Pavlica.
Mathis.	Pope.
McDougald.	Reed of Dallas.
Moore.	Wagstaff.
Morse.	Wells.

## Absent

Anderson	Hester.
of Bexar.	Holekamp.
Beck.	Holloway.
Bradley.	Jefferson.
Butler.	Kyle of Palo Pinto.
Celaya.	Latham.
Clayton.	Leonard.
Dean.	Long.
Dunlap.	Mackay.
Duvall.	McKee.
Dwyer.	Nicholson.
Good.	Palmer.
Graves.	Renfro.
Harman.	Riddle.
Harrison.	

Rogers  
of Ochiltree.  
Ross.  
Scarborough.

Scott.  
Shannon.  
Smith.

#### Absent—Excused

Aikin.  
Anderson  
of Johnson.  
Fisher.  
Hill of Webb.

Johnson  
of Dimmit.  
Lemens.  
Reader.

On motion of Mr. Barron, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 949, A bill to be entitled "An Act amending Article 7105, Revised Civil Statutes, 1925, and the amendment thereto contained in Section 12, of House Bill No. 154, Acts of the Forty-third Legislature, and Articles 7107 and 7111, Revised Civil Statutes, 1925, so as to include within the provisions of said Articles, which impose intangible assets tax upon certain persons, associations, and corporations, oil pipe-line companies, gas pipe-line companies, and common carrier pipe-line companies of every character whatsoever engaged in the transportation of oil and/or gas, doing business wholly or in part within this State, and every other individual, company, corporation, association, or firm doing business of the same character in this State, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Moore raised a point of order on further consideration of the bill, on the ground that there was not a quorum present when the bill was reported out of committee.

The Speaker overruled the point of order.

House Bill No. 949 was then passed to engrossment.

#### HOUSE BILL NO. 949 ON THIRD READING

The Speaker then laid House Bill No. 949 before the House on its third reading and final passage.

The bill was read third time.

Mr. Moore called for a full reading of the bill.

Mr. Chastain moved to dispense with the full reading of the bill, at this time.

The motion prevailed by the following vote:

#### Yeas—77

Adamson.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kyle of Hays.
Baker.	Kyle
Barrett.	of Palo Pinto.
Barron.	Laird.
Beck.	Lindsey.
Bedford.	Lotief.
Burns.	Mackay.
Calvert.	Magee.
Camp.	McClain.
Canon.	McCullough.
Caven.	Merritt.
Chastain.	Moffett.
Cowley.	Morrison.
Crossley.	Munson.
Daniel.	Palmer.
Devall.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reed of Bowie.
Ford.	Riddle.
Fuchs.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rollins.
Greathouse.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Hartzog.	Shannon.
Head.	Shults.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hunt.	Tillery.
Jefferson.	Vaughan.
Johnson	Walker.
of Anderson.	

#### Nays—38

Anderson	Holekamp.
of Bexar.	Holloway.
Bourne.	Hyder.
Bradley.	Jackson.
Cathey.	James.
Clayton.	McDougald.
Coombes.	McKee.
Dunlap.	Mitcham.
Dunagan.	Moore.
Dwyer.	Morse.
Glass.	Nicholson.
Golson.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pope.
Harris.	Reed of Dallas.

Renfro.  
Steward.  
Townsend.  
Turlington.  
Wagstaff.

Wells.  
Winningham.  
Wood.  
Young.

## Absent

Butler.	Long.
Celaya.	Mathis.
Colson.	McGregor.
Davidson.	Metcalfe.
Dean.	Pavlica.
Duvall.	Puryear.
Good.	Rogers
Harrison.	of Ochiltree.
Hester.	Ross.
Holland.	Scott.
Jones of Atascosa.	Smith.
Kayton.	Stanfield.
Latham.	Van Zandt.
Leonard.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

Mr. Moore moved that further consideration of the bill be postponed until 3 o'clock p. m., today, and that the bill be mimeographed and placed on the desks of the Members by 12 o'clock m., today.

Mr. Greathouse moved to table the motion by Mr. Moore.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—72

Adamson.	Devall.
Alexander.	Dwyer.
Alsup.	Engelhard.
Baker.	Eain.
Barrett.	Few.
Barron.	Ford.
Beck.	Fuchs.
Bedford.	Glass.
Burns.	Goodman.
Calvert.	Greathouse.
Camp.	Harris.
Canon.	Hartzog.
Caven.	Head.
Chastain.	Hodges.
Colson.	Hoskins.
Cowley.	Huddleston.
Crossley.	Hunt.
Daniel.	James.

Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kyle of Hays.	Russell.
Laird.	Scarborough.
Lindsey.	Shults.
Lotief.	Stanfield.
Magee.	Stinson.
McClain.	Sullivant.
Merritt.	Tarwater.
Metcalfe.	Tennyson.
Morrison.	Thomas.
Munson.	Tillery.
Palmer.	Townsend.
Puryear.	Van Zandt.
Ramsey.	Vaughan.
Ray.	Weinert.
Reed of Bowie.	Wood.
Roberts.	Young.
Rogers of Hunt.	

## Nays—44

Anderson	Long.
of Bexar.	McCullough.
Bourne.	McDougald.
Butler.	McGregor.
Cathey.	Mitcham.
Clayton.	Moffett.
Coombes.	Moore.
Dunlap.	Morse.
Dunagan.	Nicholson.
Golson.	Parkhouse.
Good.	Patterson.
Graves.	Ratliff.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Rollins.
Harman.	Shannon.
Harrison.	Steward.
Hicks.	Stovall.
Hill of Brazoria.	Turlington.
Holekamp.	Wagstaff.
Holloway.	Wells.
Hughes.	Winningham.
Jackson.	

## Absent

Bradley.	Latham.
Celaya.	Leonard.
Davidson.	Mackay.
Dean.	Mathis.
Duvall.	McKee.
Hester.	Pavlica.
Holland.	Pope.
Hyder.	Riddle.
Jefferson.	Ross.
Johnson	Savage.
of Anderson.	Scott.
Jones of Atascosa.	Smith.
Kayton.	Walker.
Kyle of Palo Pinto.	

## Absent—Excused

Aikin.	Fisher.
Anderson	Hill of Webb.
of Johnson.	

Johnson  
of Dimmit.

Lemens.  
Reader.

House Bill No. 949 was then passed  
by the following vote:

Yeas—93

Adamson.	Jones of Atascosa.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson of Bexar.	Kayton.
Baker.	Kyle of Hays.
Barrett.	Kyle of Palo Pinto.
Barron.	Laird.
Beck.	Lindsey.
Bedford.	Long.
Bourne.	Lotief.
Burns.	Mackay.
Calvert.	Magee.
Camp.	McClain.
Canon.	McCullough.
Cathey.	McGregor.
Caven.	Metcalfe.
Chastain.	Moffett.
Colson.	Morrison.
Cowley.	Munson.
Crossley.	Palmer.
Daniel.	Puryear.
Devall.	Ramsey.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Roberts.
Few.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Rollins.
Golson.	Russell.
Good.	Scarborough.
Graves.	Shults.
Greathouse.	Stanfield.
Harris.	Stinson.
Harrison.	Stovall.
Hartzog.	Tarwater.
Head.	Tennyson.
Hill of Brazoria.	Thomas.
Hodges.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Hyder.	Weinert.
James.	Winningham.
Jefferson.	Wood.
Johnson	Young.
of Anderson.	

Nays—24

Butler.	Holekamp.
Clayton.	McDougald.
Coombes.	Mitcham.
Dunlap.	Moore.
Griffith.	Morse.
Hankamer.	Nicholson.
Harman.	Parkhouse.
Hicks.	Patterson.

Ratliff.  
Reed of Dallas.  
Renfro.  
Shannon.

Steward.  
Sullivant.  
Wagstaff.  
Wells.

Absent

Bradley.	Leonard.
Celaya.	Mathis.
Davidson.	McKee.
Dean.	Merritt.
Duvall.	Pavlica.
Dwyer.	Pope.
Goodman.	Riddle.
Haag.	Ross.
Hester.	Savage.
Holland.	Scott.
Holloway.	Smith.
Jackson.	Walker.
Latham.	

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

HOUSE BILL NO. 70 WITH SEN-  
ATE AMENDMENTS

Mr. Calvert called up from the  
Speaker's table, with Senate amend-  
ments, for consideration of the amend-  
ments,

H. B. No. 70, A bill to be entitled  
"An Act to amend Article 904, Penal  
Code of the State of Texas, 1925, re-  
lating to fees for hunting by a resi-  
dent of this State hunting outside of  
the county of his residence, and to  
non-residents and aliens hunting in  
this State, fixing the fees for same;  
providing for the issuance of such  
licenses; etc." (With amendments.)

The Speaker laid the bill before the  
House, with the Senate amendments.

Mr. Calvert moved that the House  
concur in the Senate amendments to  
House Bill No. 70.

Mr. Hartzog and Mr. Roberts made  
the following substitute motion:

We move that the House do not  
concur in Senate amendments to  
House Bill No. 70, and that a con-  
ference committee be appointed to  
adjust the differences.

HARTZOG,  
ROBERTS,  
McKEE.

Mr. Calvert moved to table the sub-  
stitute motion.



Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—73

Alexander.	Johnson
Alsup.	of Anderson.
Anderson	Jones of Shelby.
of Bexar.	Kayton.
Barrett.	Kyle of Palo Pinto.
Beck.	Latham.
Bradley.	Long.
Burns.	Mackay.
Calvert.	Mathis.
Canon.	McGregor.
Cathey.	Merritt.
Caven.	Metcalfe.
Chastain.	Moffett.
Clayton.	Moore.
Coombes.	Morse.
Crossley.	Munson.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dean.	Ramsey.
Devall.	Ray.
Dunlap.	Renfro.
Dwyer.	Riddle.
Engelhard.	Rogers
Ford.	of Ochiltree.
Fuchs.	Ross.
Good.	Russell.
Graves.	Savage.
Harris.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Sullivant.
Hoskins.	Thomas.
Huddleston.	Townsend.
Hunt.	Turlington.
Jackson.	Van Zandt.
James.	Weinert.
Jefferson.	Winningham.

## Nays—55

Adamson.	Hartzog.
Baker.	Head.
Barron.	Hicks.
Bedford.	Hughes.
Bourne.	Hyder.
Camp.	Jones of Atascosa.
Celaya.	Jones of Runnels.
Colson.	Kyle of Hays.
Cowley.	Laird.
Dunagan.	Lindsey.
Fain.	Lotief.
Few.	Magee.
Glass.	McClain.
Golson.	McDougald.
Goodman.	McKee.
Greathouse.	Mitcham.
Griffith.	Morrison.
Hankamer.	Nicholson.
Harrison.	Palmer.

Pope.	Tarwater.
Puryear.	Tennyson.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Roberts.	Walker.
Rogers of Hunt.	Wells.
Rollins.	Wood.
Stanfield.	Young.
Stovall.	

## Present—Not Voting

Ratliff.

## Absent

Butler.	McCullough.
Duvall.	Pavlica.
Haag.	Scarborough.
Harman.	Scott.
Hester.	Smith.
Holloway.	Tillery.
Leonard.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## PAIRED

Mr. Ratliff (present), who would vote "nay," with Mr. Lemens (absent), who would vote "yea."

Question next recurring on the motion by Mr. Calvert that the House concur in the Senate amendments, it prevailed by the following vote:

## Yeas—85

Adamson.	Dwyer.
Alexander.	Engelhard.
Alsup.	Ford.
Anderson	Fuchs.
of Bexar.	Golson.
Baker.	Graves.
Barrett.	Hankamer.
Beck.	Harris.
Bradley.	Hill of Brazoria.
Burns.	Hodges.
Calvert.	Holekamp.
Camp.	Holland.
Canon.	Hoskins.
Cathey.	Hughes.
Caven.	Hunt.
Chastain.	Jackson.
Clayton.	James.
Coombes.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Atascosa.
Dean.	Jones of Shelby.
Devall.	Kayton.
Dunlap.	Kyle of Hays.

Kyle of Palo Pinto.	Riddle.
Latham.	Rogers
Long.	of Ochiltree.
Mackay.	Ross.
Mathis.	Russell.
McClain.	Savage.
McGregor.	Scarborough.
Merritt.	Shannon.
Metcalfe.	Shults.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Sullivan.
Morse.	Thomas.
Munson.	Townsend.
Parkhouse.	Turlington.
Patterson.	Van Zandt.
Ramsey.	Wagstaff.
Ray.	Weinert.
Reed of Dallas.	Wells.
Renfro.	Young.

## Nays—42

Barron.	Lindsey.
Bedford.	Lotief.
Bourne.	McDougald.
Celaya.	McKee.
Colson.	Mitcham.
Cowley.	Nicholson.
Dunagan.	Palmer.
Fain.	Pavlica.
Few.	Pope.
Glass.	Puryear.
Goodman.	Reed of Bowie.
Greathouse.	Roberts.
Harrison.	Rogers of Hunt.
Hartzog.	Rollins.
Head.	Stanfield.
Hicks.	Stovall.
Huddleston.	Tarwater.
Hyder.	Tennyson.
Jones of Runnels.	Vaughan.
Laird.	Walker.
Leonard.	Wood.

## Present—Not Voting

Magee.	Ratliff.
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## Absent

Butler.	Holloway.
Duvall.	McCullough.
Good.	Scott.
Griffith.	Smith.
Haag.	Tillery.
Harman.	Winningham.
Hester.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## PAIRED

Mr. Ratliff (present), who would vote "nay," with Mr. Lemens (absent), who would vote "yea."

## REASON FOR VOTE

I made the motion to refuse to concur in Senate amendments to House Bill No. 70 because the amendments placed a tax of \$1.10 on any person over the age of 17 who fished outside of his own county. This amendment applied to salt-water fishing, and the people of my district have expressed themselves as opposed to such a tax. I believe that the Department is doing a good work and should be given sufficient revenue to carry out the laws, but I believe that they will have sufficient revenue without taxing the salt-water sportsmen.

In order to be consistent, I voted against the measure.

HARTZOG.

## HOUSE BILL NO. 919 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 919, A bill to be entitled "An Act making appropriations to pay miscellaneous claims, and authorizing payment of said miscellaneous claims, on taking effect of this Act; and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Engelhard, pending.

Mr. Van Zandt offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 919 by striking out the following on page 1 of said committee amendment:

"To pay J. M. Walker, Amarillo, Texas, for refund of forfeiture of bonds paid State when party under indictment was in fact dead at time payment was made, \$2,229."

(Mr. Parkhouse in the Chair.)

The amendment to the amendment by Mr. Van Zandt was adopted.

Mr. Good offered the following amendment to the committee amendment:

Amend the amendment to House Bill No. 919 by striking out the following: "To pay Southern Pacific Ry., Houston, Texas, for payment of constructing spur track, National Guard camp, Palacios, Texas, \$2,042.96."

The amendment was adopted.

Mr. McDougald called for a division of the items in the amendment.

Mr. Alexander moved that the rule which grants a Member the right to call for a division of the items in the amendment, be suspended.

The motion prevailed by the following vote:

#### Yeas—85

Adamson.	Lotief.
Alexander.	Mackay.
Alsup.	Magee.
Baker.	Mathis.
Barrett.	McGregor.
Bedford.	McKee.
Bourne.	Merritt.
Burns.	Metcalf.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morse.
Celaya.	Munson.
Chastain.	Patterson.
Cowley.	Puryear.
Crossley.	Ramsey.
Daniel.	Ray.
Davidson.	Reed of Bowie.
Dean.	Roberts.
Dunagan.	Rogers
Engelhard.	of Ochiltree.
Few.	Rollins.
Fuchs.	Ross.
Golson.	Russell.
Good.	Savage.
Graves.	Scott.
Greathouse.	Shannon.
Griffith.	Shults.
Haag.	Stanfield.
Head.	Steward.
Hicks.	Stovall.
Holland.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Jackson.	Townsend.
James.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Winningham.
Leonard.	Wood.
Lindsey.	Young.

#### Nays—18

Anderson	Coombes.
of Bexar.	Fain.

Glass.	McDougald.
Hankamer.	Morrison.
Harris.	Nicholson.
Harrison.	Reed of Dallas.
Hill of Brazoria.	Rogers of Hunt.
Holekamp.	Scarborough.
Hyder.	Vaughan.
Laird.	

#### Present—Not Voting

Palmer.

#### Absent

Barron.	Johnson
Beck.	of Anderson.
Bradley.	Jones of Shelby.
Butler.	Kayton.
Caven.	Latham.
Clayton.	Long.
Colson.	McClain.
Devall.	McCullough.
Dunlap.	Parkhouse.
Duvall.	Pavlica.
Dwyer.	Pope.
Ford.	Ratliff.
Goodman.	Renfro.
Harman.	Riddle.
Hartzog.	Smith.
Hester.	Stinson.
Hodges.	Tillery.
Holloway.	Walker.
Huddleston.	Wells.
Jefferson.	

#### Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

Mr. Graves offered the following amendment to the committee amendment:

Amend amendment to House Bill No. 919, page 7, printed bill, by striking out:

"To pay Prudential Insurance Company, of New York, for refund of excess franchise tax, \$40.21."

The amendment was adopted.

Mr. Johnson of Anderson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 919 by authorizing the Game, Fish, and Oyster Commission to pay to Dr. J. M. Colley, of Palestine, Texas, the sum of five hundred dollars (\$500), or so much thereof as may be necessary to repay the said Dr. J. M. Colley the amount ac-

tually due him on the J. R. Colley account."

The amendment was lost.

Mr. Glass offered the following amendment to the committee amendment:

Amend amendment to House Bill No. 919, page 3, by inserting, between lines 22 and 23, the following:

"To pay Rusk Independent School District, of Rusk, Texas, for back taxes on State property, years 1925, 1926, 1927, 1928, 1929, and 1930, \$2,665."

The amendment was adopted.

Mr. Glass offered the following amendment to the committee amendment:

Amend amendment to House Bill No. 919, page 3, by inserting the following between lines 2 and 3:

"To pay H. J. Moses, Alto, Texas, for cow poisoned in dipping vat, June 13, 1931, \$60."

The amendment was lost.

Question recurring on the committee amendment as amended, it was adopted.

Question—Shall the bill pass to engrossment?

#### HOUSE BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 599, "An Act prohibiting the taking or possession of any wild fox, or the pelt thereof, in Wood County for a period of five (5) years after the passage of this Act; providing that it shall be lawful to take other fur-bearing animals during the open season by trap or other device or with dogs in Wood County; providing a penalty for violation of this Act; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

S. B. No. 429, "An Act to provide and establish the two-platoon system for firemen in all cities of 50,000 inhabitants, or more, in this State, according to the last preceding Federal Census, and providing the number of hours such firemen shall be on duty;

and providing a penalty for the violation of same; and declaring an emergency."

H. B. No. 929, "An Act authorizing Dallas County Arcadia Fresh Water Supply District No. 1 to incur indebtedness evidenced by contract, agreement, notes, or warrants, and to borrow money from Reconstruction Finance Corporation, for any purpose incident to its powers and functions, including the construction of repairs, replacements, and extensions to its water system, and to pay off from and to pledge for the payment thereof, any part of its income or revenues, and to mortgage its properties and facilities; providing for an election to authorize the incurring of indebtedness, and validating any election heretofore held in compliance with the provisions of this Act; etc.; and declaring an emergency."

H. B. No. 459, "An Act to amend Acts of 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13, relating to the issuance of license number plates; providing that said plates shall be manufactured and produced in the State Penitentiary at Huntsville, Texas; and declaring an emergency."

H. C. R. No. 98, Authorizing the correction of House Bill No. 459.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 200, A bill to be entitled "An Act defining 'machine gun,' 'crimes of violence,' and 'person'; making it an offense to possess or use machine guns in the perpetration or attempted perpetration of crimes of violence; making it an offense to possess a machine gun for offensive or aggressive purposes; prescribing that proof of possession shall be prima facie evidence that a machine gun was possessed or used for offensive or aggressive purposes; prescribing that presence of a machine gun in a room, boat, or vehicle shall be prima facie evidence

of the possession of each person in such room, boat, or vehicle; providing exceptions where machine guns are manufactured for military forces or peace officers, or possessed for scientific purposes, or as relics or keepsakes, or where the machine gun is of a certain caliber; providing for registration showing the handling of machine guns; providing for the registration of machine guns by citizens with the Secretary of State, and prescribing a penalty for failure to so register such machine guns; providing for search warrants to seize and confiscate machine guns; providing that if any clause of the Act is declared invalid, it shall not affect the other provisions; naming the Act; repealing laws in conflict, and declaring an emergency."

S. B. No. 535, A bill to be entitled "An Act amending Article 6166, of the Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Fortieth Legislature, Regular Session, 1927, by adding thereto a new Section; relating to the removal of prisoners to the penitentiary; and declaring an emergency."

H. B. No. 950, A bill to be entitled "An Act prohibiting certain practices in the production of oil and gas within this State; defining the terms 'person,' 'governmental agent,' 'governmental agency,' and 'oil property,' etc., and declaring an emergency."

H. B. No. 923, A bill to be entitled "An Act to empower certain cities in this State, therein defined, to build, construct, own, maintain, and operate a bridge or bridges over and across any stream, inlet, or arm of the Gulf of Mexico or entrance channel to a port in said city and to enact all necessary and reasonable ordinances, providing rules and regulations for the operation of same, and providing that no such bridge constructed, maintained, and operated over any entrance channel to any port operated by any navigation district without a permit from the navigation and canal commissioners of said district upon conditions fixed by said permit, and providing that said navigation and canal commissioners shall have the power to prescribe reasonable rules and regulations for the operation of said bridge and direct control over the mechanical facilities of said bridge for the clear-

ance of the channel for ingress and egress of vessels to said port, and further granting to said city in connection with the construction of such bridge the power to fill in and reclaim any of its submerged lands along its water front, and to build and construct sea walls, breakwaters, or shore protection to the same, and to construct water mains, gas mains, storm sewers, sanitary sewers, sidewalks, streets, and other like improvements thereon, and to rent, lease, sell, or grant franchises for the use of same, and to dredge out, construct, and maintain any extension of any channel in connection with such deep water port within said city, and granting said city the power for all of said purposes to borrow money from the Federal Government or any of its agencies created for the purpose of making such loan out of any funds raised by taxation, prescribing the provisions of said encumbrances and evidences of indebtedness while so encumbered and, after default, limiting the provisions of this Act to loans secured from the Reconstruction Finance Corporation or other like agency of the Federal Government, and providing that Chapter 163, Acts, Forty-second Legislature, applicable to a city acting under the provisions of this Act, enabling State Highway Commission to provide part or all of the cost, providing a saving clause, repealing all laws and parts of laws in conflict herewith, and declaring an emergency." (With amendments.)

The Senate has adopted

H. C. R. No. 87, Granting permission to C. W. Franks of Pleasanton to sue the State.

S. C. R. No. 53, To grant Ben Martin permission to sue the State of Texas.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 200, to the Committee on Criminal Jurisprudence.

Senate Bill No. 535, to the Committee on Criminal Jurisprudence.

**RELATIVE TO HOUSE BILL NO. 949**

Mr. Barron asked unanimous consent of the House that the Enrolling Clerk be authorized to add the savings clause to House Bill No. 949.

There was no objection offered, and it was so ordered.

**RECESS**

On motion of Mr. Glass, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

**AFTERNOON SESSION**

The House met at 2 o'clock p. m., and was called to order by the Speaker.

**RELATIVE TO WORLD'S FAIR**

Mr. Hyder offered the following resolution:

H. C. R. No. 99, Providing for the appointment of two Texas Rangers to attend the World's Fair.

Whereas, The Chicago World's Fair Commission and the Texas World's Fair Commission have both requested the appointment of two Texas Rangers to serve as attendants at the Texas exhibit in the World's Fair at Chicago; and

Whereas, It is fitting that the State choose for its representatives two Rangers characteristic of that historic group of officers of Texas and characteristic of the continued efficiency of that organization; and

Whereas, It is desirable that the official sanction of the State be placed upon the selection of these representatives; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Adjutant General of this State be requested to select two special Rangers in accordance with this resolution to represent the State at the World's Fair to act as attendants to the exhibit of this State and to exemplify the rare personality which characterizes the history of the Ranger force and the State of Texas,

provided same can be arranged without expense to the State of Texas.

HYDER,  
McGREGOR,  
MATHIS,  
GRAVES,  
COOMBES.

The resolution was read second time, and was adopted.

**SENATE BILL NO. 357 ON SECOND READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 357, A bill to be entitled "An Act to permit the Commissioners Court of Rains County, Texas, to use all or any part of interest collected on notes held by said County of Rains against Rains County school land in Hockley County, Texas, to protect said property as to taxes, and pay attorneys' fees, etc., in case of foreclosure; and declaring an emergency."

The bill was read second time.

Mr. Vaughan offered the following amendments to the bill:

(1)

Amend Senate Bill No. 357, Section 1, line 5, by adding after the word "taxes" in said line, the following: "necessary expenses and reasonable attorney's fees."

(2)

Amend Senate Bill No. 357 by amending caption to conform with the body of the bill.

The amendments were severally adopted.

Senate Bill No. 357 was then passed to third reading.

**BILL SIGNED BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 950, "An Act prohibiting certain practices in the production of oil and gas within this State; defining the terms 'person,' 'governmental agent,' 'governmental agency,' and

'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; prohibiting the use of any method or device to evade or prevent accurate measurement; prohibiting the removing of oil from the possession or control of producer except from tank or tanks under his control; providing for access by governmental agency at all times for inspection and examination of all oil properties and likewise providing for access by governmental agency for inspection, examination and audit of the records pertaining to all oil properties; prohibiting the refusal to permit such governmental agency to have access to all oil properties for inspection and examination and prohibiting any person from interfering with such inspection and examination, and prohibiting the removal, tampering with, mutilation or destruction of any device, seal or meter placed on such oil property or used in such inspection and examination by such governmental agency; prohibiting the equipment or enclosure of oil property or any part, in such manner as to prevent such inspection and examination, and to prevent such inspection and examination from revealing the true facts with respect to the manner of producing, storing, or delivering oil from such property; providing for identifying by posted signs in the English language of all oil properties, oil tanks, and flares; providing for the burning of flares to prevent the escape in open air of gas while the well producing oil and gas is being produced; providing it shall be unlawful for any person owning, leasing, operating, producing, or controlling any oil property, to produce oil in excess of the amount allowed to be produced per day under any order by the governmental agency, in force at the time; providing it shall be unlawful for any person to corruptly give, offer, or promise to give any member of the governmental agency, chief supervisor, or any agent or employe thereof any gift or gratuity with intent to influence any such officer or person; providing for the adoption, promulgation, amendment, repeal, alteration, and modification, and the publication of notice of rules and regulations by

the governmental agency, to provide methods and devices for measuring production of oil and gas, and for inspection of oil properties and measuring devices, and the measurement before surrendering possession thereof, and for the installation and use of flares, and for the keeping of records and the furnishing of reports and for inspection and examination by such agency of such oil properties and records; providing for the admissibility in evidence of certificates from such governmental agency of the adoption and terms of any such rule, regulation or order and that such certificates shall be prima facie evidence of all facts disclosed in such certificates; providing for the contents of records and reports, and providing that the governmental agency may prescribe the form thereof; providing that the provisions of this Act with respect to its provisions and remedies shall be cumulative of all other laws; defining 'offenses' under this Act and providing penalties; providing for jurisdiction in the courts of the counties where the property or any part thereof is situated with respect to which property an offense under this Act is charged; and providing for the service of process in all suits or actions involving enforcement of the conservation laws or the orders of the Railroad Commission by authorizing all Texas Rangers and all agents of the Commission to serve any civil or judicial process as effectively as a sheriff or constable of a county could within the limits of his own county; and providing for the execution of such process anywhere within the State of Texas and for the making of a return by such Ranger or agent; and providing that no fees shall be allowed such Rangers or agents other than their regular salary or compensation; declaring the legislative intent to enact each provision hereof independently of the others, and declaring an emergency."

#### HOUSE BILL NO. 919 ON PAS- SAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 919, making certain appropriation to pay miscellaneous claims against the State of Texas;

The bill having been read second time on yesterday.

Mr. Johnson of Anderson offered the following amendment to the bill:

Amend House Bill No. 919 by authorizing the Game, Fish, and Oyster Commission to pay to Dr. J. M. Colley, of Palestine, Texas, the sum of five hundred dollars (\$500), or so much thereof as may be necessary, to repay the said Dr. J. M. Colley the amount actually due him on the J. R. Colley account, said money to be paid out of any cash on hand belonging to the Game, Fish, and Oyster Commission."

The amendment was adopted.

(Mr. Kayton in the Chair.)

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 919 by adding a new paragraph to read as follows:

"There is hereby appropriated, out of the General Revenue of the State of Texas, the sum of \$50,000, not otherwise appropriated, or so much thereof as may be necessary, for the purpose of reimbursing owners of live stock killed during dipping, or as a result of dipping.

"Such funds are to be paid out only upon sworn accounts approved by the Live Stock Sanitary Commission of Texas."

DANIEL,  
BURNS,  
ALSUP.

On motion of Mr. Puryear, the amendment was tabled.

Mr. Patterson offered the following amendment to the bill:

Amend House Bill No. 919, page 3, lines 5 to 8, inclusive, by striking out said lines.

The amendment was adopted.

Mr. Patterson offered the following amendment to the bill:

Amend House Bill No. 919, page 4, by striking out lines 25, 26, and 27.

The amendment was adopted.

Mr. Wells offered the following amendment to the bill:

Amend House Bill No. 919 by adding the following:

"To pay H. R. Emerson, of Powell, Texas, for gasoline tax refund, \$112.12."

Mr. Chastain raised a point of order on further consideration of the amendment, on the ground that the

amendment contains the same subject matter as one heretofore defeated by the House.

The Speaker sustained the point of order.

House Bill No. 919 was then passed to engrossment.

### HOUSE BILL NO. 919 ON THIRD READING

Mr. Engelhard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 919 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93

Adamson.	Johnson
Alsup.	of Anderson.
Anderson	Jones of Atascosa.
of Bexar.	Jones of Runnels.
Barrett.	Laird.
Beck.	Latham.
Bedford.	Lindsey.
Bourne.	Long.
Bradley.	Mackay.
Burns.	Magee.
Canon.	McClain.
Cathey.	McKee.
Chastain.	Merritt.
Clayton.	Metcalf.
Colson.	Moffett.
Coombes.	Moore.
Daniel.	Morrison.
Dean.	Morse.
Devall.	Munson.
Engelhard.	Nicholson.
Few.	Palmer.
Ford.	Parkhouse.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Puryear.
Good.	Ramsey.
Graves.	Ratliff.
Griffith.	Ray.
Haag.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Hester.	Rollins.
Hill of Brazoria.	Ross.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Townsend.
Jackson.	Turlington.
James.	Van Zandt.



Wagstaff.  
Wells.  
Winningham.

Wood.  
Young.

Nays—8

Camp. Kyle of Hays.  
Cowley. Lotief.  
Fain. Mitcham.  
Greathouse. Vaughan.

Absent

Alexander.	Kyle of Palo Pinto.
Baker.	Leonard.
Barron.	Mathis.
Butler.	McCullough.
Calvert.	McDougald.
Caven.	McGregor.
Celaya.	Pope.
Crossley.	Riddle.
Davidson.	Rogers
Dunlap.	of Ochiltree.
Dunagan.	Russell.
Duvall.	Savage.
Dwyer.	Scarborough.
Goodman.	Scott.
Harrison.	Smith.
Head.	Stanfield.
Hicks.	Sullivant.
Holloway.	Thomas.
Jefferson.	Tillery.
Jones of Shelby.	Walker.
Kayton.	Weinert.

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 919 before the House on its third reading and final passage.

The bill was read third time, and was passed.

#### HOUSE BILL NO. 923 WITH SENATE AMENDMENTS

Mr. Pope called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 923, A bill to be entitled "An Act to empower certain cities in this State, therein defined, to build, construct, own, maintain, and operate a bridge, or bridges, over and across any stream, inlet, or arm of the Gulf of Mexico or entrance channel to a port in said city and to enact all necessary and reasonable ordinances, providing rules and regulations for the operation of same, and providing that no such bridge con-

structed, maintained, and operated over any entrance channel to any port operated by any navigation district without a permit from the navigation and canal commissioners of said district upon conditions fixed by said permit, and providing that said navigation and canal commissioners shall have the power to prescribe reasonable rules and regulations for the operation of said bridge and direct control over the mechanical facilities of said bridge for the clearance of the channel for ingress and egress of vessels to said port, and further granting to said city in connection with the construction of such bridge the power to fill in and reclaim any of its submerged lands along its water front, and to build and construct sea walls, breakwaters, or shore protection to the same, and to construct water mains, gas mains, storm sewers, sanitary sewers, sidewalks, streets, and other like improvements thereon, and to rent, lease, sell, or grant franchises for the use of same, and to dredge out, construct, and maintain any extension of any channel in connection with such deep water port within said city, and granting said city the power for all of said purposes to borrow money from the Federal Government or any of its agencies created for the purpose of making such loan or otherwise obtain such funds, and to encumber said properties and facilities and the net revenues and income of same to secure payment of said funds, and to make sale of all or parts of the reclaimed area; etc."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Pope moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### MOTION TO INTRODUCE CERTAIN BILL

Mr. Puryear moved to introduce at this time, and have placed on first reading a bill.

The motion was lost by the following vote:

Yeas—47

Alexander.	Chastain.
Alsup.	Coombes.
Bourne.	Cowley.
Celaya.	Dean.

Fain.	Moffett.
Few.	Morse.
Ford.	Munson.
Glass.	Pope.
Golson.	Ratliff.
Goodman.	Ray.
Greathouse.	Reed of Bowie.
Harman.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Scott.
Hodges.	Shults.
Hoskins.	Steward.
Jones of Runnels.	Stovall.
Kayton.	Tennyson.
Laird.	Thomas.
Lindsey.	Townsend.
Lotief.	Vaughan.
Magee.	Walker.
Merritt.	Wells.
Metcalfe.	

## Nays—52

Adamson.	Jackson.
Anderson	James.
of Bexar.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Bedford.	Kyle of Hays.
Bradley.	Long.
Calvert.	Mackay.
Camp.	McClain.
Canon.	McKee.
Cathey.	Mitcham.
Caven.	Moore.
Clayton.	Nicholson.
Colson.	Parkhouse.
Devall.	Patterson.
Fuchs.	Pavlica.
Graves.	Ramsey.
Griffith.	Roberts.
Harris.	Rollins.
Hester.	Shannon.
Hicks.	Stinson.
Hill of Brazoria.	Turlington.
Holland.	Van Zandt.
Huddleston.	Wagstaff.
Hughes.	Winningham.
Hunt.	Wood.
Hyder.	Young.

## Present—Not Voting

Haag.	Palmer.
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## Absent

Baker.	Leonard.
Barron.	Mathis.
Burns.	McCullough.
Butler.	McDougald.
Crossley.	McGregor.
Daniel.	Morrison.
Davidson.	Puryear.
Dunlap.	Riddle.
Dunagan.	Rogers of Hunt.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Engelhard.	Ross.
Good.	Russell.
Hankamer.	Savage.
Harrison.	Scarborough.
Holekamp.	Smith.
Holloway.	Stanfield.
Jefferson.	Sullivant.
Jones of Shelby.	Tarwater.
Kyle of Palo Pinto.	Tillery.
Latham.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## HOUSE BILL NO. 241 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 241, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

The bill was read second time.

Mr. Mackay offered the following committee amendment to the bill:

Amend House Bill No. 241 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. The following sum of money, \$120,377.80, is hereby appropriated out of the General Fund, not otherwise appropriated, for the payment of the following approved miscellaneous claims arising from the destruction of stock and property in the eradication of the hoof and mouth disease in Harris, Brazoria, and Galveston Counties, Texas:

Claim No.	Name:	Amount
1	Shannon, W. C., Arcadia .....	\$ 125.00
2	Holbert, C. E., Arcadia .....	575.00
3	Peterson, Axel, South Houston .....	297.00
4	Flora, Mrs. L., Algoa .....	585.00

Claim No.	Name:	Amount
5	Walker, W. L., Arcadia .....	1,620.00
6	Thompson, Robt., Alta Loma .....	180.00
7	Nelson, Fred, Alta Loma .....	210.00
8	Meadows, G. W., Arcadia .....	60.00
9	Rommers, G. H., Algoa .....	1,653.00
10	Hill, J. T., Arcadia .....	450.00
11	Murdock, E. C., Arcadia .....	100.00
12	Mackay, Henry, Algoa .....	355.00
13	Holloway, Wm., Arcadia .....	1,050.00
14	Sandstrom, G. A., Arcadia .....	850.00
15	Myles, Mrs. L., Arcadia .....	798.00
16	Shannon, T. J., Arcadia .....	650.00
17	Moore, J. A., Arcadia .....	2,100.00
18	Dyer, W. C., Arcadia .....	140.00
19	Hall, W. E., Algoa .....	100.00
20	Baty, Mrs. John, Arcadia .....	648.00
21	Peurshot, F. S., Arcadia .....	95.00
22	Stockwell, H. E., Arcadia .....	1,800.00
23	Cole, E. M., Alta Loma .....	400.00
24	Dyer, W. F., Arcadia .....	400.00
25	Jackson, Mrs. F. W., Arcadia .....	845.00
26	French, Mrs. T. F., Arcadia .....	550.00
27	Rezek, John, Algoa .....	180.00
28	Campbell, J. J., Algoa .....	100.00
29	Tully, Andrew, Arcadia .....	100.00
30	Flora, Paul, Algoa .....	2,550.00
31	Meeks, J. C., Arcadia .....	1,049.00
32	Stavely, Mrs. M. E., Arcadia .....	550.00
33	Moore, Guy, Arcadia .....	2,200.00
34	Cox, J. H., Arcadia .....	1,464.00
35	Day, Mrs. A. E., Arcadia .....	75.00
36	Kubin, Frank, Alvin .....	369.00
37	Trantow, Fred, Algoa .....	125.00
38	Gilbert, J. E., Arcadia .....	1,200.00
39	Bishop, L. B., Arcadia .....	120.00
40	Schultze, B. F., Arcadia .....	2,000.00
41	Truske, Frank, Alvin .....	379.00
42	Braver & Gibson, Arcadia .....	375.00
43	Goddard, J. G., Algoa .....	200.00
44	Youngblood, G. H., Alta Loma .....	702.00
45	Schoenfeldt, Wm., Arcadia .....	640.00
46	Hillerman, Chas., Arcadia .....	300.00
47	Ward, Miss Jenny G., Alvin .....	90.00
48	Leary, John W., Arcadia .....	1,241.00
49	Neschyba, Mrs. J. W., Arcadia .....	960.00
50	Clutter, John, Alvin .....	1,650.00
51	Dent, Mrs. M. E., Arcadia .....	453.00
52	Liening, B. H., Dickinson .....	1,575.00
53	Leary Bros., Arcadia .....	1,883.00
54	Linkey, J. A., Arcadia .....	800.00
55	Chiles, Mrs. Edgar, Arcadia .....	900.00
56	McPeters, Mrs. W. M., Arcadia .....	940.00
57	Travis, Mrs. J. E., Arcadia .....	67.00
58	Palmo, Mrs. C., Arcadia .....	250.00
59	Schock, Edwin, Alvin .....	2,150.00
60	(Refused.)	
61	Schmidt, G. C., Arcadia .....	1,423.00
62	Thomas, C. R., Arcadia .....	750.00
63	Almon, Z. M., Algoa .....	250.00
64	Harris, A. W., Arcadia .....	1,070.00
65	Ward, R. E., Alvin .....	275.00
66	Palmer, J. A., Algoa .....	2,490.00

Claim No.	Name:	Amount
67	Edwards, Jim, Algoa .....	1,105.00
68	Keeling, H. S., Algoa .....	244.00
69	Tacquard, J. M., Alvin .....	7,050.00
70	Trantow, Albert, Alvin .....	475.00
71	Weiting, W. O., Alvin .....	103.00
72	Scruggs, T. C., Algoa .....	1,730.00
73	Powers, E. A., Arcadia .....	750.00
74	Chiles, Lee, Arcadia .....	1,370.00
75	Franks, Evans, Arcadia .....	610.00
76	Garnouch, S. (Withdrawn.)	
77	Grimes, G. A., Arcadia .....	315.00
78	Orem, Mrs. A. D., Arcadia .....	616.00
79	Smith, C. L., Algoa .....	300.00
80	Cox, J. B., Arcadia .....	1,050.00
81	Johns, C. E., Arcadia .....	450.00
82	Lock, A. W., Arcadia .....	764.00
83	Albright, Mrs. E. H., Arcadia .....	1,000.00
84	Lilley, Mrs. B. F., Algoa .....	210.00
85	Brittnacher, John, League City .....	1,079.00
86	Bauscus, F. A., Arcadia .....	376.00
87	Brittnacher, Joe, League City .....	500.00
88	Brockman, W. H. (Adm'r.), Alta Loma .....	1,500.00
89	Borm, Gus, Alvin .....	180.00
90	Schmidt, Geo., Alta Loma .....	480.00
91	Syfan, Chas. E. (Withdrawn.)	
92	Burns, W. D., Alta Loma .....	1,560.00
93	Brittnacher, Mrs. Jake, League City .....	930.00
94	Gigstad, H., Pasadena .....	375.00
95	Endicot, G. E. (Withdrawn.)	
96	Schuld, A. E., Arcadia .....	575.00
97	Molk, F., South Houston .....	2,784.00
98	Parks, W. S., Pasadena .....	640.00
99	Blakesley, W. N., Pasadena .....	950.00
100	Kruske, Oscar. (Withdrawn.)	
101	Aaberg, J. K., Arcadia .....	1,325.00
102	Hill, Mrs. M. T., Arcadia .....	600.00
103	(No record. Withdrawn.)	
104	Tamberello, Joe, Alta Loma .....	600.00
105	Pistona, Joe, Alta Loma .....	360.00
106	Raitano, John, Alta Loma .....	1,260.00
107	Flora, Stanley, Algoa. (Refused.)	
108	Thomson, J. Q., Alvin .....	250.00
109	Saunders, Dr. H. S., Arcadia .....	90.00
110	Wiegand, Mrs. Nina, Dickinson .....	2,140.00
111	Albert, Auck, Algoa .....	550.00
112	Hooper, L. O., Algoa .....	90.00
113	Hanna, Mrs. Chas., Algoa .....	120.00
114	Sanner, R. T., Arcadia .....	295.00
115	Palmero, V. A., Arcadia .....	400.00
116	Mailleux, Geo. F., Arcadia .....	180.00
117	Jones, J. S., Algoa .....	90.00
118	Baty, Mrs. H. W., Arcadia .....	1,600.00
119	Rymal, G. M., Sr., Algoa .....	210.00
120	Hervey, H. P., Jr., Arcadia .....	163.00
121	Hodges, W. J., Arcadia .....	510.00
122	Neuman, C. L., Dickinson .....	75.00
123	McGee, J. T., Algoa .....	450.00
124	Lock, A. A., Arcadia .....	1,320.00
125	Kemmerling, Mrs. T. J., Hitchcock .....	360.00
126	Dues Bros., Dickinson .....	815.00
127	Pollinard, R. E., Arcadia .....	150.00
128	Riggio, Joe, Alta Loma .....	240.00

Claim No.	Name:	Amount
129	Ginn, J. J., Algoa .....	180.00
130	Garrett, Mrs. L. B., Algoa .....	180.00
131	Franks, J. F., Arcadia .....	90.00
132	Beine, Peter, Arcadia .....	87.00
133	Glazener, O. B., South Houston .....	234.00
134	Senger, Frank, Dickinson .....	180.00
135	McClain, Mrs. Mary, Harrisburg .....	1,500.00
136	Evans, C. H., Arcadia .....	60.00
137	Shannon, O. J., Arcadia (Hauling Claim) .....	578.00
138	Gammage, F. S., Genoa .....	1,950.00
139	Stroughan, Mrs. M. M., South Houston .....	270.00
140	Bond, Mrs. V. E., South Houston .....	270.00
141	Tacquard, Arthur, Alta Loma .....	450.00
142	Ford, R. G., South Houston .....	150.00
143	Denham, Mrs. J., South Houston .....	165.00
144	Gatton, H. C., South Houston .....	90.00
145	Dodd, J. E., South Houston .....	90.00
146	Anderson, J. L., South Houston .....	360.00
147	Bell, R. W., South Houston .....	90.00
148	Keizer, Mrs. L. M., South Houston .....	90.00
149	Surles, A. I., Alvin. (Withdrawn.) .....	
150	Grothgar, Mrs. Fred, Alta Loma .....	785.00
151	Larsen, Olex, Alta Loma .....	265.00
152	Birrell, Alex, La Porte .....	1,050.00
153	West, R. M., Arcadia .....	900.00
154	Dean, Mrs. A. W., Arcadia .....	175.00
155	Hollan, H. H. (1924), South Houston .....	960.00
156	Baty, W. A., Arcadia .....	240.00
157	Van Natter, C. H., South Houston .....	180.00
158	Cedillo, C., South Houston .....	108.00
159	Farquhar, S. E., Genoa .....	300.00
160	Anthony, Stanley, Genoa .....	300.00
161	Franke, B. L., Genoa .....	210.00
162	Jones, Arthur, Genoa .....	90.00
163	Dudley, W. H., South Houston .....	90.00
164	Tullis, J. B., Genoa .....	300.00
165	Preece, Arthur, South Houston .....	60.00
166	Florida, T. H., South Houston .....	90.00
167	Kennedy, S. W., South Houston .....	90.00
168	McGowen, M. P., Genoa .....	120.00
169	Brussard, W. M., South Houston .....	90.00
170	Murray, Mrs. Jessie, South Houston .....	75.00
171	Tullis, H. J., Genoa .....	180.00
172	Gammage, F. S. (1924), Genoa .....	840.00
173	Boehm, H. W., Genoa .....	120.00
174	Jones, Mrs. Stella, Genoa .....	90.00
175	Dibbern, Mrs. Sophia, South Houston .....	90.00
176	Schlentes, Mrs. J., South Houston .....	270.00
177	Knight, G. O., Alvin .....	900.00
178	McWhorter, Howard, South Houston .....	90.00
179	Crawford, C. D., Genoa .....	90.00
180	McLawchlin, C. H., Genoa .....	60.00
181	Alden, J. M., Genoa .....	120.00
182	Hall, E. E., Genoa .....	240.00
183	McGower, Mrs. Ida, Genoa .....	420.00
184	Wingren, H. T., Genoa .....	180.00
185	McLendon, M. D., Genoa .....	5,900.00
186	Vawter, C. E., Genoa .....	240.00
187	Tambrello, Jack, Alta Loma .....	900.00
188	Shop, M., Genoa .....	1,080.00
190	Allan, Chas. N., Genoa .....	180.00
191	Foster, W. C., Genoa .....	360.00

Claim No.	Name:	Amount
193	Davis, W. C., Genoa .....	108.00
194	Wall, J. E., Genoa .....	180.00
195	Burnett, G. P., Genoa .....	240.00
196	Lambert, E. E., Genoa .....	200.00
197	Crenshaw, E. Q., Genoa .....	450.00

Total amount, claim loss.....\$120,377.80

"In the event that this total sum of money appropriated is not used within a period of two years, all moneys remaining in said fund shall revert to the General Fund.

"Sec. 2. The fact that these claims have been approved by the Claims Committee of former Legislatures and remain unpaid, and because the destruction occasioned by the quarantine resulted in total destruction of the property of a good many people, create an emergency and an imperative public necessity that the rule, requiring the reading of bills by each House on three several occasions, be, and the rule is hereby, suspended, and this law be in effect from and after its passage, and it is so enacted."

MACKAY,  
BEDFORD,  
HOLLAND,  
MORSE,  
HILL.

Mr. Renfro moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on committee amendment No. 1, it was adopted.

Mr. Mackay offered the following committee amendment to the bill:

Amend House Bill No. 241 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 241,

#### A BILL

#### To Be Entitled

An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

The amendment was adopted.

House Bill No. 241 was then passed to engrossment by the following vote:

#### Yeas—54

Baker.	Johnson
Beck.	of Anderson.
Bedford.	Jones of Shelby.
Bradley.	Laird.
Cathey.	Latham.
Caven.	Lotief.
Clayton.	Mackay.
Crossley.	McKee.
Davidson.	Metcalfe.
Engelhard.	Moore.
Few.	Morrison.
Ford.	Morse.
Fuchs.	Munson.
Golson.	Patterson.
Griffith.	Pavlica.
Haag.	Ramsey.
Hankamer.	Ratliff.
Hartzog.	Ray.
Head.	Renfro.
Hester.	Roberts.
Hill of Brazoria.	Rollins.
Hodges.	Russell.
Holekamp.	Townsend.
Holland.	Van Zandt.
Hoskins.	Wagstaff.
Hughes.	Winningham.
Hyder.	Wood.
Jackson.	

#### Nays—50

Adamson.	Jones of Runnels.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson of Bexar.	Leonard.
Barrett.	Lindsey.
Barron.	Long.
Bourne.	Magee.
Calvert.	McCullough.
Camp.	Merritt.
Canon.	Mitcham.
Celaya.	Moffett.
Chastain.	Nicholson.
Coombes.	Parkhouse.
Cowley.	Pope.
Devall.	Purveyar.
Fain.	Reed of Bowie.
Glass.	Reed of Dallas.
Goodman.	Scott.
Graves.	Shults.
Greathouse.	Stinson.
Harman.	Stovall.
Harris.	Tillery.
Hicks.	Turlington.
Huddleston.	Vaughan.
James.	Walker.

## Absent

Burns.	Palmer.
Butler.	Riddle.
Colson.	Rogers of Hunt.
Daniel.	Rogers
Dean.	of Ochiltree.
Dunlap.	Ross.
Dunagan.	Savage.
Duvall.	Scarborough.
Dwyer.	Shannon.
Good.	Smith.
Harrison.	Stanfield.
Holloway.	Steward.
Hunt.	Sullivant.
Jefferson.	Tarwater.
Jones of Atascosa.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Mathis.	Weinert.
McClain.	Wells.
McDougald.	Young.
McGregor.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has adopted

S. C. R. No. 78, Authorizing the  
Enrolling Clerk of the Senate to make  
certain corrections in Senate Bill No.  
203.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

CONSIDERATION OF CONFERENCE  
COMMITTEE REPORT  
ON SENATE BILL NO.  
262

The Speaker laid before the House,  
for consideration at this time, the re-  
port of the conference committee on  
Senate Bill No. 262;

The report having been submitted  
to the House on May 18, and printed  
in the House Journal on that date.

Mr. Pope moved that the report be  
not adopted, and that a new com-  
mittee be appointed to adjust the dif-  
ferences between the two Houses.

Mr. Leonard moved that the report  
be adopted.

Mr. Renfro moved the previous  
question on the pending motions, and  
the main question was ordered.

Question first recurring on the mo-  
tion by Mr. Pope, it was lost by the  
following vote:

## Yeas—55

Adamson.	Laird.
Anderson	Lotief.
of Bexar.	Mackay.
Bedford.	Mathis.
Bradley.	McGregor.
Burns.	Morse.
Camp.	Munson.
Cathey.	Nicholson.
Celaya.	Palmer.
Chastain.	Patterson.
Colson.	Pope.
Daniel.	Ramsey.
Davidson.	Ray.
Engelhard.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Riddle.
Graves.	Roberts.
Greathouse.	Rogers
Hartzog.	of Ochiltree.
Hill of Brazoria.	Rollins.
Holekamp.	Scarborough.
Hoskins.	Tarwater.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Van Zandt.
Hyder.	Wagstaff.
Jackson.	Walker.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

## Nays—65

Alexander.	Hodges.
Alsup.	Holland.
Baker.	James.
Beck.	Johnson
Bourne.	of Anderson.
Calvert.	Jones of Atascosa.
Canon.	Jones of Runnels.
Clayton.	Jones of Shelby.
Coombes.	Latham.
Cowley.	Leonard.
Crossley.	Lindsey.
Devall.	Long.
Fain.	Magee.
Glass.	McClain.
Golson.	McKee.
Good.	Merritt.
Goodman.	Metcalfe.
Griffith.	Mitcham.
Haag.	Moffett.
Hankamer.	Moore.
Harman.	Morrison.
Harris.	Parkhouse.
Head.	Pavlica.
Hicks.	Purveyer.

Ratliff.	Stovall.
Renfro.	Sullivant.
Rogers of Hunt.	Tennyson.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Vaughan.
Scott.	Wells.
Shannon.	Winningham.
Steward.	Wood.

## Absent

Barrett.	Hester.
Barron.	Holloway.
Butler.	Jefferson.
Caven.	Kayton.
Dean.	McCullough.
Dunlap.	McDougald.
Dunagan.	Shults.
Duvall.	Smith.
Dwyer.	Stanfield.
Few.	Stinson.
Harrison.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

Question then recurring on the motion by Mr. Leonard, that the report be adopted, it prevailed by the following vote:

## Yeas—104

Adamson.	Good.
Alexander.	Goodman.
Alsup.	Graves.
Anderson	Greathouse.
of Bexar.	Griffith.
Baker.	Hankamer.
Barron.	Harman.
Beck.	Harris.
Bourne.	Hartzog.
Burns.	Head.
Calvert.	Hicks.
Canon.	Hill of Brazoria.
Cathey.	Hodges.
Celaya.	Holekamp.
Clayton.	Holland.
Colson.	Hoskins.
Coombes.	Hughes.
Cowley.	Hunt.
Crossley.	Hyder.
Daniel.	Jackson.
Dean.	James.
Devall.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Fuchs.	Kayton.
Glass.	Kyle of Palo Pinto.
Golson.	Laird.

Latham.	Rogers of Hunt.
Leonard.	Rollins.
Lindsey.	Ross.
Long.	Russell.
Lotief.	Savage.
Magee.	Scarborough.
Mathis.	Scott.
McClain.	Shannon.
McGregor.	Steward.
McKee.	Stovall.
Merritt.	Sullivant.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Tillery.
Morrison.	Townsend.
Palmer.	Turlington.
Parkhouse.	Van Zandt.
Patterson.	Vaughan.
Pavlica.	Wagstaff.
Ramsey.	Walker.
Ratliff.	Wells.
Ray.	Winningham.
Renfro.	Wood.

## Nays—20

Bedford.	Munson.
Bradley.	Nicholson.
Camp.	Pope.
Chastain.	Puryear.
Davidson.	Reed of Bowie.
Ford.	Reed of Dallas.
Haag.	Riddle.
Huddleston.	Roberts.
Kyle of Hays.	Rogers
Mackay.	of Ochiltree.
Morse.	

## Absent

Barrett.	Jefferson.
Butler.	McCullough.
Caven.	McDougald.
Dunlap.	Shults.
Dunagan.	Smith.
Duvall.	Stanfield.
Harrison.	Stinson.
Hester.	Weinert.
Holloway.	Young.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

### AUTHORIZING CERTAIN CORRECTION IN CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 262

Mr. Leonard offering the following resolution:

H. C. R. No. 100, Authorizing certain correction in Senate Bill No. 262.



Be it resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the Senate be instructed to strike out the words, "except counties," in lines 10 and 14 on the third page of Senate Bill No. 262, presented by the conference committee on said bill and as adopted by the Senate and House.

The resolution was read second time, and was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 623 by the following vote: Yeas, 24; nays, 4.

The Senate has adopted conference committee report on House Bill No. 256 by the following vote: Yeas, 30; nays, 0.

The Senate has passed

S. B. No. 567, A bill to be entitled "An Act reorganizing and changing the terms of court for the Thirtieth Judicial District by amending Subdivision 30 of Article 199, Revised Civil Statutes of 1925; validating service and process, and declaring an emergency."

Respectfully,  
**BOB BARKER,**  
Secretary of the Senate.

#### HOUSE BILL NO. 363 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 363, A bill to be entitled "An Act making appropriations to pay miscellaneous claims and authorizing payment of said miscellaneous items, on taking effect of this Act, and declaring an emergency."

The bill was read second time.

Mr. Coombes offered the following committee amendment to the bill:

Amend House Bill No. 363 by striking out all between lines 64 and 170, inclusive, Section 1.

**HOSKINS,  
COOMBES.**

The amendment was adopted.

Mr. Coombes offered the following committee amendment to the bill:

Amend House Bill No. 363, Section 1, by striking out the (total) figure "\$67,035.04 and \$72,908.38," page 7, and inserting in lieu thereof the figure "\$5,872.76."

**HOSKINS,  
COOMBES.**

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 363 was then passed to engrossment.

#### HOUSE BILL NO. 363 ON THIRD READING

Mr. Coombes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 363 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adamson.	Good.
Alsup.	Goodman.
Baker.	Graves.
Barrett.	Greathouse.
Barron.	Griffith.
Bedford.	Haag.
Bourne.	Hankamer.
Bradley.	Harris.
Calvert.	Harrison.
Canon.	Head.
Cathey.	Hicks.
Chastain.	Hill of Brazoria.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Holloway.
Crossley.	Hoskins.
Daniel.	Huddleston.
Davidson.	Hughes.
Dean.	Hunt.
Devall.	Jackson.
Dunlap.	James.
Dunagan.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Few.	Jones of Runnels.
Ford.	Jones of Shelby.
Fuchs.	Kayton.
Glass.	Kyle of Hays.
Golson.	Kyle of Palo Pinto.

Laird.	Rogers
Latham.	of Ochiltree.
Lindsey.	Rollins.
Lotief.	Ross.
Mackay.	Russell.
Magee.	Savage.
McClain.	Scarborough.
McCullough.	Scott.
Mitcham.	Shannon.
Moffett.	Shults.
Moore.	Stanfield.
Morrison.	Steward.
Morse.	Stinson.
Munson.	Stovall.
Nicholson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Tennyson.
Pavlica.	Thomas.
Ramsey.	Tillery.
Ratliff.	Turlington.
Ray.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Wells.
Riddle.	Wood.
Roberts.	Young.

## Nays—5

Fain.	Vaughan.
Hyder.	Winningham.
Puryear.	

## Present—Not Voting

Mr. Speaker.

## Absent

Alexander.	Leonard.
Anderson	Long.
of Bexar.	Mathis.
Beck.	McDougald.
Burns.	McGregor.
Butler.	McKee.
Camp.	Merritt.
Caven.	Metcalf.
Celaya.	Patterson.
Duval.	Pope.
Harman.	Rogers of Hunt.
Hartzog.	Smith.
Hester.	Townsend.
Jefferson.	Van Zandt.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 363 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—75

Adamson.	McKee.
Alsup.	Metcalf.
Bourne.	Mitcham.
Bradley.	Moore.
Calvert.	Morrison.
Cathey.	Morse.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Palmer.
Coombes.	Parkhouse.
Cowley.	Patterson.
Engelhard.	Pavlica.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Dallas.
Golson.	Renfro.
Greathouse.	Riddle.
Griffith.	Roberts.
Haag.	Rollins.
Hankamer.	Russell.
Harman.	Savage.
Hartzog.	Shannon.
Head.	Shults.
Hill of Brazoria.	Stanfield.
Holland.	Steward.
Hughes.	Stovall.
Jackson.	Sullivant.
James.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Turlington.
Kayton.	Van Zandt.
Kyle of Hays.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Latham.	Wells.
Lindsey.	Wood.
Mackay.	Young.
Magee.	

## Nays—23

Baker.	Johnson
Beck.	of Anderson.
Burns.	Laird.
Canon.	Lotief.
Daniel.	Puryear.
Fain.	Reed of Bowie.
Good.	Scarborough.
Harris.	Scott.
Hicks.	Tarwater.
Holekamp.	Tillery.
Huddleston.	Vaughan.
Hyder.	Winningham.

## Present—Not Voting

Mr. Speaker.	Merritt.
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## Absent

Alexander.	Barron.
Anderson	Bedford.
of Bexar.	Butler.
Barrett.	Camp.

Caven.	Jones of Atascosa.
Colson.	Leonard.
Crossley.	Long.
Davidson.	Mathis.
Dean.	McClain.
Devall.	McCullough.
Dunlap.	McDougald.
Dunagan.	McGregor.
Duvall.	Moffett.
Dwyer.	Pope.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Harrison.	of Ochiltree.
Hester.	Ross.
Hodges.	Smith.
Holloway.	Stinson.
Hoskins.	Townsend.
Hunt.	Weinert.
Jefferson.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 923

The Speaker announced the appointment of the following conference committee on House Bill No. 923: Messrs. Pope, Morse, Lotief, Head, and Colson.

HOUSE BILL NO. 867 WITH SEN-  
ATE AMENDMENTS

Mr. Engelhard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 867, A bill to be entitled "An Act amending Articles 7245, 7246, 7247, 7248, and 7249, of the 1925 Revised Civil Statutes of Texas, by providing for the election, oath, and bond of the office of assessor and collector of taxes, as combined by the recent amendment to the Constitution; providing that Articles 7181 to 7359, inclusive, of Title 122, of the 1925 Revised Civil Statutes of Texas, including all amendments, as well as the 1925 Revised Civil Statutes, shall be so construed as to carry out the purpose of the constitutional amendment providing for one officer, and that the words 'assessor,' 'assessor of taxes,' 'collector,' 'collector of taxes,' or 'tax collector' shall refer to and mean one office or officer; repealing Articles 7177, 7178, 7179, and 7180, of Title 122, of the 1925 Re-

vised Civil Statutes of Texas; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Engelhard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on House Bill No. 867: Messrs. Engelhard, Jones of Atascosa, Burns, Dean, and Good.

(Speaker in the Chair.)

CONFERENCE COMMITTEE RE-  
PORT ON HOUSE BILL  
NO. 256

Mr. Harman submitted the following conference committee report on House Bill No. 256:

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 256, A bill to be entitled "An Act making an appropriation for the next two (2) fiscal years for the purpose of promoting the public school interests of rural schools, and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, attaching conditions, regulations, and limitations relative thereto, authorizing aid to such schools, etc., and declaring an emergency,"

Having considered the differences between the two Houses, and having reached an agreement, beg leave to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses.

We recommend the adoption of this report, and the final passage by both Houses of the attached bill:

"H. B. No. 256,

A BILL

To Be Entitled

An Act appropriating three and one-half million dollars (\$3,500,000) per year, or so much thereof as may be necessary, for the next two (2) fiscal years for the purpose of promoting the public school interests of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, attaching conditions, regulations, and limitations relative thereto, authorizing aid to such schools in accordance with the conditions herein specified; providing for the maintenance of all rural schools which meet the requirements of this Act a term of a certain length; providing assistance for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a plan; providing for the use of an amount not to exceed a certain sum for the payment each year of the biennium of high school tuition of rural school pupils according to the provisions of Chapter 181, of the General Laws of the Fortieth Legislature, Regular Session, as amended by Senate Bill No. 10, passed at the First Called Session of the Forty-first Legislature and further amended by Senate Bill No. 41, Chapter 20, passed at the First Called Session of the Forty-second Legislature; providing for the payment of transportation aid under certain conditions; providing for penalties for violation of any of the provisions of this Act; providing for the administration of the funds appropriated herein by the State Board of Education and the State Superintendent of Public Instruction; providing for the manner of payment and disbursements of all moneys granted under the provisions of this Act; enacting other provisions necessary and incidental to the provisions of this Act; declaring the rule in event any provision of this Act is unconstitutional or invalid; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Appropriation. For the purpose of promoting public school interest of rural schools and equalizing the educational opportunities afforded by the State to all children of scholastic age living in small and financially weak school districts, there is hereby appropriated out of the General Revenue, three and one-half million dollars (\$3,500,000), or so much thereof as may be necessary for the school year ending August 31, 1934, and three and one-half million dollars (\$3,500,000), or so much thereof as may be necessary for the school year ending August 31, 1935, to be allotted and expended in accordance with the provisions of this Act; provided, that any unexpended balance occurring at the close of the year 1934, may be transferred and added to the appropriation for the year ending August 31, 1935.

Sec. 2. Scholastic Population of District. State aid under the provisions of this Act may be distributed in such a way as to assist all schools of not fewer than twenty (20) scholastics and not more than four hundred (400) scholastics located in districts of not more than five hundred (500) scholastics, and consolidated districts which have an average of not more than two hundred (200) scholastics of each original district composing the consolidated unit, and all districts composed of entire counties having a scholastic population of less than five thousand (5,000); providing the provisions of this Section shall not apply to any school district containing forty-eight (48) square miles of territory or more, and further provided that the provisions of this Section shall not apply to any school district where sixty per cent (60%), or more, of its students are transported in public buses from the rural districts.

Sec. 3. Distance Between State Aid Schools. No aid shall be granted to any school under the provisions of this Act which is located within two and one-half miles of another school of the same race, unless on account of the condition of the roads and other physical features it is unreasonable and impracticable for the pupils to attend another school; provided that this restriction shall not apply to elementary schools in a con-

solidated district nor to any district which at some previous election has voted to remove such conditions by consolidation.

Sec. 4. Teacher Pupil Load. State aid under the provisions of this Act shall be allotted upon the basis of one teacher for any number of scholastics from twenty to thirty-five and one additional teacher for each additional thirty-five scholastics, or fractional part thereof. The basis for calculation shall be the net scholastic enumeration of white or colored race, as the case may be, including the transfers into the district, and excluding the transfers out of the district for the current year and there shall be deducted all scholastics who have completed the course of study in their home school, as authorized by the county board of trustees, provided that in unusual or extraordinary conditions of actual enrollment, an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the State Board of Education.

Sec. 5. Average Daily Attendance. No school shall be granted aid under the provisions of this Act whose average daily attendance is less than seventy per cent (70%) of the scholastic census enrollment for either white or colored school. Provided, the provisions of this Act shall not apply to any school where there is any kind of epidemic of sickness. Districts where parochial schools are maintained are exempt from the provisions of this Section.

Sec. 6. Tax Levy. No school district shall be eligible to receive aid under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying, and collecting for the current year a local school tax, exclusive of the tax for interest and sinking fund for bonds, of not less than fifty cents on the one hundred dollars of property valuation in the entire district or not less than seventy-five cents, inclusive of the tax for interest and sinking fund for bonds; and providing further, that the property valuation shall not be less than said property is valued for State and county purposes; provided that the rate of tax required to be levied in this section shall not apply to transportation aid for counties

whose schools are operated under the county unit system with a single governing board. Any school district that shall reduce its existing tax rate and/or tax rates thereby enabling it to participate under this Act shall not be eligible to receive aid from any of the funds herein provided.

Sec. 7. Taxable Wealth. No part of the aid herein provided for teachers' salaries shall be given to a school district with an assessed valuation in excess of three thousand dollars (\$3,000) per scholastic as shown by the scholastic census, said valuation being assessed as provided heretofore; provided, that this Section does not apply to school districts that levy and assess a one dollar tax on the one hundred dollar valuation of taxable property.

Sec. 8. Salary Schedule. No part of the aid herein provided shall be used for increasing the monthly salary of any teacher, but the funds provided for in this Act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid on the basis of a schedule of teachers' salaries to be determined by the State Superintendent of Public Instruction, with the approval of the State Board of Education.

Sec. 9. Standard Schools. All State aid schools of the unaffiliated class shall provide a term of approximately eight months. These schools shall be so classified by the county school board as to provide as near as possible an eight months term out of State, county, and local funds. Should there not be sufficient funds to maintain the school as herein stated, then State aid may be granted subject to other provisions of this Act; provided, that road conditions would prevent the transportation to nearest accredited high school. It shall be left to the discretion of the supervisor appointed by the State Department of Education to determine whether or not the county school board has properly classified such schools.

Sec. 10. High School Tuition. It is hereby expressly provided that a sufficient amount of the funds appropriated by this Act shall be used for the payment of high school tuition, not to exceed seven dollars and fifty cents (\$7.50) per pupil per month.

High school tuition shall be paid according to the provisions of Chapter 181, of the General Laws of the Fortieth Legislature, Regular Session, as amended by Senate Bill No. 10, passed at the First Called Session of the Forty-first Legislature, and as further amended by Senate Bill No. 41, Chapter 20, passed by the First Called Session of the Forty-second Legislature.

Sec. 11. Transportation Aid. The county superintendent and county school board are hereby authorized to set up a system of transportation for the purpose of transporting high school pupils from their districts where their grade is not taught to the most convenient accredited high school. The expense of such transportation shall be paid out of funds hereby provided, not to exceed two dollars (\$2) per pupil per month. Provided further, that in districts composing an entire county, high school transportation aid as authorized in this Section may be granted for the purpose of transporting high school pupils within such districts to the most convenient accredited high school located in the county.

It is further provided, that the districts through which these buses travel may make provisions with the county superintendent and county school board to have any other children, not provided for herein, transported within and between their respective districts, and said districts may make application for State aid thereon to an amount not to exceed one dollar (\$1) per month per pupil. Provided, that where regular buses do not run in sparsely settled sections of counties which are operating under a county unit system, the county school board and county superintendent are authorized to make provisions for the transportation of pupils other than high school pupils within said districts, and may make application for State aid thereon to an amount not to exceed one dollar (\$1) per month per pupil. Provided, however, that no part of the funds hereby provided and appropriated for transportation purposes, shall be expended for the purpose of transporting any pupil or pupils from one district to school districts containing one hundred or more square miles of territory, said State aid for transportation shall be \$2 per month per pupil.

Sec. 12. Penalty Provision. Any district violating any of the provisions of this Act or any rules or regulations adopted by the State Board of Education shall forfeit all rights to such aid and can be disqualified to receive any aid of any nature under any Section of this Act for the current year. Should any school, which would otherwise be eligible to receive aid, agree, provide, or contract with teachers to pay a smaller monthly salary during the remainder of the term following the granting of aid provided out of local funds than is paid out of State funds, then such school shall forfeit its right to receive aid.

Sec. 13. Industrial Aid. State aid may be granted to any one school in the district employing three (3) or more teachers which will provide for the proper instruction and demonstration in farm mechanics, agriculture, and home economics, according to a program approved by the State Department of Education, and which shall be employing a teacher, or teachers, whose qualifications shall be approved by the State Superintendent of Public Instruction, provided that the maximum aid to be granted for each of the above courses cannot exceed one hundred dollars (\$100) per year.

Sec. 14. Powers of State Board of Education and of State Superintendent of Public Instruction. It shall be the duty of the State Board of Education, and it is hereby authorized, to take such action and to make such rules and regulations not inconsistent with the terms of this Act as may be necessary to carry out the provisions and intentions of this Act, and for the best interests of the schools for whose benefit the funds are appropriated. It shall be the duty of the State Superintendent of Public Instruction to appoint a supervisor to make a thorough investigation in person of the grounds, buildings, equipment, teaching forces, and financial condition of each school applying for aid; and no aid shall be given unless it can be shown that all provisions of this Act and regulations made by the State Board of Education have been complied with, and that such amount of aid is actually needed.

Sec. 15. All schools not having over four teachers and not having received State aid heretofore may receive ten

dollars (\$10) per teacher for library books from this fund, if the amount received is duplicated by local funds from any source. Every classroom school applying for this library aid must either have a library room, a library case, or shelves with a locker. The books must be selected from the library bulletins prepared by the State Department of Education, and a list of the books purchased must be filed with the county superintendent. The money raised by the school applying for this aid must be deposited in a bank or vouched for by the county superintendent. Schools may qualify for this aid each year during the biennium. There shall be no local tax requirement for library aid.

Sec. 16. Application for Aid. The trustees of schools authorized in Section 2 of this Act may send to the State Superintendent, on forms provided by the State Department of Education, a list of the teachers employed in the school showing the monthly salary, experience, and training of each, together with an itemized statement of expected receipts and expenditures, the length of term, and such other information as may be required, and the State Superintendent with the approval of the State Board of Education, may then grant to the school such an amount of this fund as will, with the State and county available funds, together with the local funds, maintain the school for a term not to exceed nine (9) months and approximately eight (8) months; provided, that if the school has sufficient State and county available funds to maintain the school for an eight (8) months term according to the salary schedule adopted by the State Board of Education, or with its local maintenance tax, to maintain the desired term, not to exceed nine (9) months, as provided in Section 2, it shall not be eligible to receive State aid; provided further, that the county Superintendent shall approve all contracts with teachers, supervising officers, and bus drivers in all schools before such schools may be eligible to receive State aid under any provisions of this Act.

Sec. 17. Equalization Fund. Any county in this State that has a special equalization fund derived from State and county available funds and which contributes to the said

funds for the benefit of its rural schools out of its own funds as much as forty thousand dollars (\$40,000) per annum, shall receive from the appropriation herein provided, fifteen thousand dollars (\$15,000) for each year of the biennium to supplement the equalization fund thereof for all purposes, without inspections being made by the State Department of Education, provided, such counties, in addition to such State aid, may be granted reimbursement for high school tuition.

Sec. 18. Counties With Less Than 1,400 Scholastics. It is hereby provided that schools in sparsely settled counties, having less than fourteen hundred (1,400) scholastic population in the common school districts, may be exempted from the minimum restriction of twenty (20) scholastics; provided, that each district applying for aid is levying and collecting the limit of local support as provided in Section 6 of this Act, Provided the State Department of Education may grant aid to schools in sparsely settled districts without regard to the number of scholastics or the duration of the term of such school.

Sec. 19. Transfer of Entire District. On the agreement of the board of trustees of the district concerned or on petition signed by a majority of the qualified voters of the district and subject to the approval of the county superintendent and the State Superintendent, the trustees of a district which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment, or any number of grades thereof, to a convenient school of higher rank, and in such event all of the funds of the district, including the State aid to which the district would otherwise be entitled to under the provisions of this Act, or such proportionate part thereof as may be necessary, may be used in carrying out the said agreement.

Sec. 20. Disbursement. Warrants for all money granted under the provisions of this Act shall be transmitted by the State Superintendent of Public Instruction to treasurers of depositories of school districts to which State aid is granted in the same manner as warrants for State apportionments are now transmitted,

and it shall be the duty of all treasurers of depositories to make annually itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this Act. It is further provided that any balance recurred to the credit of the Rural Aid Fund herein provided for the year 1933-1934 may be transferred to the appropriation herein provided for the year 1934-1935; also any balance that may recur to the credit of the Rural Aid Fund appropriated for the year 1932-1933 may be transferred to the credit of the appropriation herein provided for the year 1933-1934.

Sec. 21. In counties which constitute a single school district and in which there is no governing body designated as the county school board, the duties authorized by this Act to be performed by the county school board are hereby conferred upon the existing governing bodies of such districts.

Sec. 22. Miscellaneous Provisions. Rural schools accepting the provisions of this Act shall be entitled to share in the distribution of State and county available school funds, and in all other school funds in the same manner as all other school districts; and in case high school grades are maintained the community shall still be entitled to participate in the distribution of any State aid that may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State; provided, however, that no school or school district shall be denied rural State aid for failure or refusal to buy any books, equipment, charts, and/or school supplies offered by any person, firm, or corporation, unless the minutes of the State Board of Education of Texas show that said books, equipment, charts, and/or supplies were approved by a majority vote of said State Board of Education.

Sec. 23. It shall be the duty of the State Board of Education and the State Superintendent of Public Instruction to pay by warrant not more than fifty per cent (50%) of the total amount allotted to any one school as an initial payment, and that the remaining payments shall be made on a percentage basis to the schools in such manner and amounts that the total

expenditures for any one year shall not exceed the total appropriation for that year.

It is specifically provided herein that the State Board of Education and the State Superintendent of Public Instruction shall not pledge the State nor incur obligations against the rural aid fund in any amount or in any one year in excess of the amount herein appropriated.

The State Board of Education and the State Superintendent of Public Instruction are hereby prohibited from paying any one or more schools its or their allotment in an amount greater, on a percentage basis, than is paid any other school. This provision shall apply to all allotments and claims and/or appropriations provided for in this measure.

Sec. 24. It shall be unlawful for any county school superintendent, or the superintendent of any common or independent school district, school teacher, county trustee, and/or district trustee, or any other person, directly or indirectly, to use, or promise to use, pay, or promise to pay, any of the funds herein appropriated for the purpose of paying the salary and/or expenses of any person, or persons, to maintain a lobby for any purpose. Violation of this provision shall forfeit the right, or rights, of the county or any school district in the county from participating in the funds herein appropriated.

Sec. 25. Repealing and Constitutional Clauses. All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is unconstitutional or invalid, the remainder of this Act shall, nevertheless, remain in effect.

Sec. 26. Emergency Clause. The fact that many schools in rural districts are in need of aid, and that public policy requires that proper provision be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this Act, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be, and the same is hereby, suspended, and this Act shall



take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

GREER,  
HOLBROOK,  
SANDERFORD,  
DUGGAN,  
PACE,

On the part of the Senate;

HARMAN,  
BUTLER,  
RIDDLE,  
SULLIVANT,

On the part of the House.

Mr. Kayton moved that further consideration of the report be postponed until 2 o'clock p. m., tomorrow. The motion prevailed.

#### HOUSE BILL NO. 928 WITH SENATE AMENDMENTS

Mr. Morse called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 928, A bill to be entitled "An Act to make provisions for: (Section 1): To anticipate the submission and adoption of the proposed constitutional amendment to provide for the adoption of a home rule charter by any county in Texas, upon a vote of the qualified resident electors of any county, all as proposed in the pending Senate Resolution No. 3. Reference to said proposed amendment to the Constitution in the exact form for submission to the electors of the State here is made, to the same effect as though it were embodied herein. Further providing (Section 21 hereof) that, no county charter provision impairing the operation of the general laws of the State relating to the judicial, tax, fiscal, educational, police, highway, and health systems of the State, or any department of the State's superior government may have effect as against the State, etc."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Morse moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Shannon, Ford, Moffett, Bourne, and Morse.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 442

Mr. Kayton submitted the following conference committee report on House Bill No. 442:

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, to whom was referred

H. B. No. 442, A bill to be entitled "An Act creating a Central Mailing Bureau; providing for the control of such Bureau by the State Board of Control; designating the duties and purpose of such Bureau; making an appropriation for the expense of operation and for the purchase of necessary equipment to establish and maintain said Bureau for a period of six (6) months; providing all mail of the State Departments located in the State Capitol, the State Office Building, the State Highway Department Office Building, and the Courthouse State Office Building in Austin shall pass through said Bureau; providing for the personnel of such Bureau; providing for bonds for personnel of such Bureau; providing an appropriation for a revolving fund; repealing all laws in conflict, and declaring an emergency,"

Have had the same under consideration, and we recommend to the Senate and to the House of Representatives that the Senate amendment be withdrawn and that the original House bill in the form attached hereto be passed.

Respectfully submitted,

FELLBAUM,  
PARR,  
STONE,

On the part of the Senate;

KAYTON,  
LOTIEF,  
JAMES,  
PURYEAR,  
SCARBOROUGH,

On the part of the House.

On motion of Mr. Kayton, the report was adopted by the following vote:

Yeas—113

Adamson.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Latham.
of Bexar.	Lindsey.
Baker.	Lotief.
Barrett.	Mackay.
Beck.	Magee.
Bedford.	McClain.
Bourne.	McKee.
Burns.	Merritt.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Celaya.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Coombes.	Nicholson.
Cowley.	Palmer.
Crossley.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Devall.	Puryear.
Dunagan.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Hankamer.	Scott.
Harman.	Shults.
Harris.	Steward.
Harrison.	Stinson.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Thomas.
Holland.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Hyder.	Vaughan.
James.	Wagstaff.
Jefferson.	Walker.
Johnson	Weinert.
of Anderson.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

Nays—2

Daniel. Laird.

Absent

Barron.	Leonard.
Bradley.	Long.
Butler.	Mathis.
Cathey.	McCullough.
Caven.	McDougald.
Chastain.	McGregor.
Dunlap.	Metcalfe.
Duvall.	Pope.
Hartzog.	Ross.
Head.	Shannon.
Hester.	Smith.
Holloway.	Stanfield.
Hunt.	Tennyson.
Jackson.	

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 472.

Mr. Harman submitted the following conference committee report on Senate Bill No. 472:

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Gentlemen: We, your conference committee, appointed to adjust the differences between the House of Representatives and the Senate on Senate Bill No. 472, have had same under consideration, and recommend that said bill pass in the form attached hereto, and that our said report be adopted:

"S. B. No. 472,

#### A BILL

#### To Be Entitled

An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1933, at the several State institutions of higher learning in the State of Texas; authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students; and fixing the amount of admission, matriculation, and tuition fees for said institutions; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The several sums of money named herein, or so much thereof as may be necessary, are hereby appropriated for the support and maintenance of summer schools at each of the institutions indicated during the summer of the year 1933, as follows:

University of Texas.....	\$ 40,000
Texas Agricultural and Mechanical College.....	8,450
John Tarleton Agricultural College.....	5,600
North Texas Agricultural College, Junior.....	2,740
Prairie View State Normal and Industrial College....	2,000
College of Industrial Arts...	10,000
Texas College of Arts and Industries.....	7,370
Texas Technological College.	16,060
East Texas State Teachers College.....	26,740
North Texas State Teachers College.....	30,790
Sam Houston State Teachers College.....	14,820
Southwest Texas State Teachers College.....	21,460
Stephen F. Austin State Teachers College.....	12,510
Sul Ross State Teachers College.....	6,770
West Texas State Teachers College.....	11,110
College of Mines and Metallurgy.....	5,330
<b>Total.....</b>	<b>\$221,750</b>

Sec. 2. Each of the institutions named in Section 1 of this Act is hereby authorized to expend for the support and maintenance of summer schools at said institutions, in addition to the amounts appropriated herein, an additional amount from fees equal to ten dollars (\$10) per student per six weeks' term, or the equivalent of six weeks' term, plus all laboratory fees collected from said students.

Sec. 3. Each of the institutions named in Section 1 of this Act is hereby authorized to charge and collect for summer school matriculation or tuition fees the sum of ten dollars (\$10) per six weeks' term, or equivalent of six weeks' term, and said amounts so charged and collected are

hereby appropriated for the support and maintenance of said summer school.

Sec. 4. The admission, matriculation, or tuition fees for the summer school sessions for each of the aforesaid institutions is hereby fixed at the sum of ten dollars (\$10) per student per six weeks' term, or the equivalent of a six weeks' term, and all laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 5. The fact that no provision has been made previously for summer schools at the institutions named in this Act creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

HOLBROOK,  
REDDITT,  
DUGGAN,

On the part of the Senate;

HARMAN,  
GOOD,  
DUNLAP,

On the part of the House.

On motion of Mr. Harman, the report was adopted by the following vote:

Yeas—102

Adamson.	Dunagan.
Alexander.	Dwyer.
Alsup.	Engelhard.
Anderson	Few.
of Bexar.	Ford.
Baker.	Fuchs.
Barrett.	Glass.
Beck.	Golson.
Bedford.	Good.
Bourne.	Goodman.
Bradley.	Graves.
Burns.	Greathouse.
Calvert.	Griffith.
Camp.	Hankamer.
Canon.	Head.
Cathey.	Hicks.
Celaya.	Hill of Brazoria.
Chastain.	Hodges.
Clayton.	Holekamp.
Colson.	Holland.
Crossley.	Hoskins.
Daniel.	Huddleston.
Davidson.	Hughes.
Dunlap.	Hyder.

Jackson.	Reed of Dallas.
James.	Renfro.
Jefferson.	Riddle.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Atascosa.	Rogers
Jones of Shelby.	of Ochiltree.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Ross.
Latham.	Russell.
Leonard.	Savage.
Mackay.	Shults.
Magee.	Steward.
Mathis.	Stovall.
McClain.	Sullivant.
Merritt.	Tarwater.
Mitcham.	Thomas.
Moffett.	Tillery.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Vaughan.
Munson.	Wagstaff.
Nicholson.	Walker.
Palmer.	Weinert.
Patterson.	Wells.
Puryear.	Winningham.
Ramsey.	Wood.
Ratliff.	Young.
Ray.	

## Nays—18

Barron.	Kayton.
Coombes.	Lindsey.
Dean.	Lotief.
Devall.	Parkhouse.
Fain.	Reed of Bowie.
Haag.	Scarborough.
Harris.	Scott.
Harrison.	Stinson.
Jones of Runnels.	Van Zandt.

## Absent

Butler.	McCullough.
Caven.	McDougald.
Cowley.	McGregor.
Duvall.	McKee.
Harman.	Metcalfe.
Hartzog.	Pavlica.
Hester.	Pope.
Holloway.	Shannon.
Hunt.	Smith.
Laird.	Stanfield.
Long.	Tennyson.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## REASON FOR VOTE

I vote "yea" on Senate Bill No. 472 because it provides some appropriation for the maintenance of the

State supported institutions of higher learning for the summer of 1933. I am opposed to the increasing of tuition as provided in the bill. Increased tuition, to my mind, is an unwise change of policy, being a heavier burden upon the poor boys and girls who have the ambition to secure a college education at the least possible cost to the people of Texas.

KYLE of Hays.

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 623

Mr. Leonard submitted the following conference committee report on House Bill No. 623:

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee, to whom was referred House Bill No. 623, have had same under consideration, and have agreed upon the attached bill, and recommend its passage:

"H. B. No. 623,

## A BILL

To Be Entitled

An Act declaring it to be the policy of the State to provide for the standardization of citrus fruits as a protection to grower, shipper, carrier, receiver, and consumer; placing the jurisdiction of grades and classification thereof under the direction of the Commissioner of Agriculture of the State of Texas; directing and empowering the Commissioner of Agriculture to establish regulations and grades of citrus fruits; providing for the publication of such rules and regulations and the appeal therefrom; providing that the Commissioner and his agents, inspectors, and employes shall be prohibited from engaging in trade in citrus fruits; providing for the mandatory grade of citrus fruits; providing for the notification to the Commissioner or his agents, inspectors, or employes as to intent of shipment of citrus fruits; providing that it shall be unlawful to ship any citrus fruits

affected by this Act unless proper inspection has been made; providing for the issuance of certificates of inspection, and declaring such certificates to be prima facie evidence of the true grade of the citrus fruits at the time of inspection; regulating the re-use of citrus containers; providing fees to be charged for inspection; providing for the establishment of the citrus grading fund into which such fees are to be deposited; defining 'deceptive pack,' and providing that deceptive pack shall be unlawful; excluding from the provisions of this Act citrus fruits to be graded, packed, stored, or converted into by-products within the area affected; providing for the proper labeling of citrus fruits coming within the provisions of this Act, and for the registration of grades of citrus fruits; providing the responsibility of carriers under this Act; designating commodities affected by this Act; providing for the weighing of all citrus fruits sold by weight prior to packing by a public weigher; providing penalties for violations of this Act; providing for the validity of the remainder of this Act if any portion hereof be declared unconstitutional; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Statement of Purpose. In order to provide the means whereby producers of certain citrus fruit, and all interested parties, may secure prompt and efficient inspection and classification of grades of fruit at reasonable cost, and because it is hereby recognized that the standardization of the citrus fruit industry by the proper grading and classifications of citrus fruit by prompt and efficient inspection under competent authority is beneficial alike to grower, shipper, carrier, receiver, and consumer, in that it furnishes the grower and the shipper prima facie evidence of quality and condition of products, it guarantees the carrier and the receiver of quality of products carried and received by them and assures the ultimate consumer of the quality of the products purchased, this Act is passed.

Sec. 2. The inspection in the State of Texas of all grapefruit and

oranges, and the grades and classifications thereof, shall be under the direction of the Commissioner of Agriculture, of the State of Texas, hereinafter known as the Commissioner.

Sec. 3. Establish Regulations and Grades. The Commissioner of Agriculture, of the State of Texas, is hereby empowered and directed to enter into co-operative agreements with the United States Department of Agriculture providing for the inspection of certain citrus fruits and under the terms of said agreements the Commissioner of Agriculture shall adopt the official United States Standards for grapefruit and oranges as applied to the State of Texas. The inspection shall be conducted under the policies outlined by the United States Department of Agriculture under said co-operative agreements. The Commissioner is empowered to establish and enforce such grades, grading rules, and regulations in addition to those established by this Act as he may deem necessary on citrus fruit, which shall not conflict with any provisions of this Act, after a thorough investigation has been made of the needs of the particular citrus fruit for which grades, grading rules and regulations are contemplated. The Commissioner shall cause to be published in one publication of general circulation in each county affected by this Act, the rules and regulations promulgated by him under this Act. Such publications shall be once each week for the three weeks prior to September 1. Grades established in accordance with provisions of this Act shall not be modified during the current shipping season, of the citrus fruit for which they are established, except as hereinafter provided.

Sec. 4. Appeal to Change Regulations. The Commissioner is hereby given power and authority, and it is hereby made his duty, to promulgate rules and regulations relating to the grading, packing, and marking of certain citrus fruits as set out in this Act, and it is hereby made his duty to enforce same. The Commissioner shall cause this to be published in some newspaper of general circulation in the territory affected by the rules and regulations which he has promulgated. Only in case of protest, hearings shall be conducted at places

and at times to be determined by the Commissioner or his agent, after publications of rules and regulations have been promulgated, at which all interested parties will have a right to be heard. After such publication and public hearing, the rules and regulations shall be final, unless written protest by an interested person or parties shall be made to the Commissioner of Agriculture within thirty (30) days after such rules and regulations have been published. If the Commissioner, after the hearing of protests, refuses to modify such rules and regulations, the interested person or parties shall have the right to appeal to the District Court of Travis County.

Sec. 5. Power of Regulations. The Commissioner is hereby authorized to promulgate such rules and regulations relative to proper marking of containers, the issue of certificates of inspection, the tagging of the vehicle of transportation, and such other rules and regulations as he deems necessary for the improvement of the method of marketing of all citrus fruits as provided for in this Act.

Sec. 6. Engaging in Trade Prohibited. The Commissioner and his agents, inspectors, and employes are each prohibited, during their respective terms of employment of office, from engaging in this State, either directly or indirectly, or elsewhere, in the business of buying or selling citrus fruits or in dealing in the same on commission.

Sec. 7. Grading Made Mandatory. Whenever any grades or classifications and standards for citrus fruit become effective under this Act, no person thereafter shall pack for sale, offer for sale, consign for sale, or sell, except as provided in this Act, any such described citrus fruit grown within the State of Texas, to which such grades or classifications and standards are applicable, unless such citrus fruit conforms with such grades or classifications and standards.

Sec. 8. Notice of Time of Shipment. It shall be the duty of every person, firm, corporation, association, or other organization affected by this Act to give due and timely notice to the Commissioner, his agents, inspectors, and employes as to the time and place of the loading of citrus fruits

subject to the provisions of this Act, or to report to the inspection station nearest to the point of loading. The terms "to ship," "shipper," and "shipment," as noted in this Act, shall apply to the transportation of citrus fruit by an automobile, truck, trailer, or any other vehicle, as well as the transportation by rail and/or water.

Sec. 9. Whenever grades or classifications become effective under this Act, it shall be unlawful for any person, firm, corporation, association, or other organization to ship any citrus fruits to which such grades or classifications are applicable (except as prospected by a duly authorized inspector, vided in Section 15 hereof), unless such citrus fruits have first been in-who shall issue a certificate of inspection showing the grade, or other classification thereof, and unless such fruit be packed in containers approved by the Commissioner of Agriculture, and fruit in each container must be uniformly sized.

Sec. 10. Issuance of Certificate of Inspection. A certificate designating the classifications of the grade, or grades, of citrus fruits so subject to compulsory inspection under this Act, or other form evidencing that the official inspection has been made, shall be issued by the inspector and delivered to the shipper. A certificate so issued under this Act shall be accepted in any court of this State as prima facie evidence of the true grade or classifications of such citrus fruit at the time of inspection.

Sec. 11. Re-use of Containers. No containers or subcontainers of citrus fruits within the meaning of this Act shall bear grade or other designations that are in any way false or misleading. This provision shall be construed to prohibit the future use of any container or subcontainer for citrus fruits bearing any markings required by this Act, or any designations of brands, trade-marks, quality, or grade, unless all such markings which do not properly and accurately apply to the products repacked or replaced shall first be completely removed, erased, or obliterated. All certificates of previous inspections shall be removed, erased, or obliterated.

Sec. 12. Inspection Fees. The Commissioner is hereby authorized and empowered to fix and assess, and col-

lect, and cause to be collected, fees for the inspection and classification of grades of citrus fruits subject to the provisions of this Act and the issuance of certificate of such classifications of grades. The amount of such fees on each different commodity inspected and for each different service rendered on each such commodity under the provisions of this Act, shall be fixed as nearly as possible with reference to the cost of the establishment and maintenance of such service for such particular commodity, and may be different in the case of each different commodity and in the case of each different service rendered on each such commodity, but shall in no case exceed the sum of one-half cent for each container of one-half bushel capacity or less, and one cent for each container of more than one-half bushel capacity for inspection service performed in a regular packing house operating under a duly issued permit. Any regular grading service performed outside of a packing shed shall be for an amount sufficient to cover the actual cost of inspection in accordance with the discretion exercised by the Commissioner of Agriculture. The amount of such fees on the different commodities and for the different services rendered under the provisions of this Act shall be determined as nearly as may be to the end that the inspection service provided by this Act shall pay for itself out of the annual aggregate amount of such fees collected under the provisions of this Act, together with any appropriations made for the operations of this service, and any other sum properly credited to said service. Such fees shall be paid by the person, firm, corporation, association, or other organization making the shipment at the time such service is rendered. No person employed by the Commissioner shall charge or collect any fees other than the fees in such amounts as shall be authorized and established by the Commissioner of Agriculture.

Sec. 13. Disposition of Funds. There is hereby created a special fund, to be known as the "Citrus Grading Fund," which shall be a continuing Fund. All fees and other moneys collected under the authority of the provisions of this Act, shall be turned over to the Commissioner of Agriculture of the State of Texas and by him deposited with the State

Treasurer and credited to said Fund. The Commissioner is hereby authorized and empowered to use the moneys in said Fund in defraying the expenses arising out of the establishment and maintenance of the inspection service provided by this Act, and for no other purpose whatsoever. Warrants in payment for inspection service provided for in this Act shall be drawn upon the State Treasury and charged against this Fund.

At the beginning of each new shipping season, the Commissioner of Agriculture shall take into account the surplus remaining in said Citrus Grading Fund at the end of the preceding season, in making reductions of inspection fees where possible.

Sec. 14. Deceptive Pack. It shall be unlawful to prepare, deliver for shipment, load, ship, transport, offer for sale, or sell for shipment a deceptive pack, load, arrangement of display of citrus fruits within the meaning of this Act, or to mislabel any container or display of such citrus fruits. A deceptive pack or load is hereby defined as one which is so arranged to conceal the true grade of the citrus fruit within the package or to misrepresent the contents.

Sec. 15. Sale Without Grading by Grower Permitted. No provision of this Act shall be construed to prevent a grower of citrus fruits within the area affected by this Act from selling or delivering the same unpacked and unmarked, or selling his crop in bulk, or any part thereof, or to a packer for grading, packing, or storage within said area. Nor shall any provision of this Act prevent a grower or packer from manufacturing the same into any by-product, or from selling the same unpacked or unmarked to any person actually engaged in the operation of a commercial by-products factory for the sole and express purpose of being used in the said area for the manufacture of a by-product for resale. The terms of this Act shall not be applied to any number of containers less than six (6), such a number is regarded as non-commercial, and not subject to provisions of this Act.

Sec. 16. Registration and Use of Brands and/or Trade-marks. All fruits packed and offered for shipment under the provisions of this

Act shall be marked showing the proper official grade of the fruit in each container or same may be labeled or stamped with a registered brand or trade-mark. Brands or trade-marks to be eligible for registration must be defined by the minimum requirements of one and/or a combination of the official grades designated herein. Such brands or trade-marks and their definitions under the United States Grades shall be registered with the Commissioner of Agriculture, of the State of Texas. No brands or trade-marks shall be eligible for registration under the terms of this Act which do not meet the minimum requirements of at least United States No. 2, or classifications of this grade.

Sec. 17. Responsibility of Carriers. It shall be unlawful for any shipper, forwarding company, private, contract, or common carrier to ship, transport, or accept for shipment any citrus fruit within the meaning of this Act, unless accompanied by a duly issued certificate of inspection as set out in the provisions of this Act, and any such shipper, forwarding company, private, contract, or common carrier may reserve the right in any receipt, bill of lading, or other writing given to the consignor thereof, to reject for shipment and to return to such consignor or hold at the expense and risk of the latter, all citrus fruits which upon inspection, are found to be delivered for shipment in violation of any of the provisions of this Act.

Sec. 18. Commodities Designated Under This Act. From and after the effective date of this Act no person, firm, corporation, association, or other organization within the area where this Act applies, namely the citrus zone as described in House Bill No. 553, Chapter 350, of the Acts of the Regular Session, Forty-second Legislature of the State of Texas, shall pack for sale, consign for sale, or sell in straight or mixed commercial quantities, that is more than five (5) containers, unless such citrus fruits conform with the provisions of this Act as to minimum grades or classifications as specified in this Act, and with such additional grades, grading rules, or regulations applicable there-

to as may have theretofore been promulgated by the Commissioner previous to this Act and unless such fruits have been duly inspected as provided in this Act.

Citrus fruit shipped into the State of Texas from any other State or territory shall comply with the grading, packing, and marking regulation which this Act provides for citrus fruit originating in this State.

Sec. 19. Under the terms of this Act all citrus fruit sold by weight prior to packing, to any buyer or shipper, shall be weighed by a duly elected or appointed public weigher, who shall be governed in his rights and duties and by the Statutes of the State of Texas covering public weighers as set out in the 1925 Revised Civil Statutes of the State of Texas, Title 93, Chapter 6, Article 5680, and any amendments thereto.

Sec. 20. Penalty for Violations. Any person, firm, corporation, association, or other organization which violates any provisions of this Act or willfully interferes with the Commissioner, his agent, inspectors, or employes, in the performances or on account of the execution of his or their duties, as provided by this Act, shall be deemed guilty of a misdemeanor. Any person convicted under this Act shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than ninety (90) days, or both such fine and imprisonment in the discretion of the court.

Sec. 21. If any section, word, phrase, or clause in this Act be declared unconstitutional for any reason, the remainder of this Act shall not be affected thereby.

Sec. 22. The fact that the citrus growers and shippers in the citrus zone of the State of Texas will suffer heavy losses unless efficient provision is promptly made for inspection, grading, marking, and weighing of citrus fruit shipped from said zone during the next shipping season, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and this Act take effect and



be in force from and after its passage, and it is so enacted.

Respectfully submitted,

PARR,  
BECK,  
WOODWARD,  
MOORE,  
REDDITT,

On the part of the Senate;

LEONARD,  
GLASS,  
TARWATER,  
CELAYA,  
ENGELHARD,

On the part of the House.

On motion of Mr. Leonard, the report was adopted by the following vote:

Yeas—110

Adamson.	Hicks.
Alexander.	Hill of Brazoria.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holland.
Baker.	Hoskins.
Barrett.	Huddleston.
Barron.	Hughes.
Beck.	Hyder.
Bedford.	Jackson.
Bourne.	James.
Burns.	Jefferson.
Calvert.	Johnson
Camp.	of Anderson.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Celaya.	Kyle of Hays.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Leonard.
Coombes.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Daniel.	Mathis.
Davidson.	McClain.
Dean.	McKee.
Devall.	Merritt.
Dunagan.	Mitcham.
Engelhard.	Moffett.
Few.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Parkhouse.
Graves.	Patterson.
Greathouse.	Ramsey.
Griffith.	Ratliff.
Haag.	Ray.
Hankamer.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.

Riddle.	Sullivant.
Roberts.	Tarwater.
Rogers of Hunt.	Thomas.
Rogers	Tillery.
of Ochiltree.	Townsend.
Rollins.	Turlington.
Ross.	Van Zandt.
Russell.	Wagstaff.
Savage.	Walker.
Scarborough.	Weinert.
Shults.	Wells.
Steward.	Wood.
Stinson.	Young.
Stovall.	

Nays—4

Fain.	Scott.
Lindsey.	Vaughan.

Absent

Bradley.	Kyle of Palo Pinto.
Butler.	Long.
Caven.	McCullough.
Dunlap.	McDougald.
Duvall.	McGregor.
Dwyer.	Metcalfe.
Harman.	Pavlica.
Harris.	Pope.
Harrison.	Puryear.
Hester.	Shannon.
Holloway.	Smith.
Hunt.	Stanfield.
Jones of Atascosa.	Tennyson.
Kayton.	Winningham.

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 551

Mr. Engelhard submitted the following conference committee report on Senate Bill No. 551:

Committee Room,  
Austin, Texas, May 22, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on Senate Bill No. 551, have considered the same, and recommend that the bill do pass as passed by the Senate with the following amendment:

"Amend Senate Bill No. 551, Section 1, on page 2, line 26, by inserting a new sentence after the end of the sentence ending in line 26, as follows:

"No warrant drawn on the State Treasury shall be accepted as collateral, unless said warrants are accompanied by affidavits, sworn to by some officer of the bank offering said warrants, which said affidavits shall affirm that none of the warrants offered as collateral security were transferred or assigned by the original payees of said warrants or any of them for a less consideration than ninety-eight per cent (98%) of the face value of said warrants, and that none of such warrants were obtained from the original payees by loaning money thereon at a rate of interest greater than six per cent (6%) per annum."

Respectfully submitted,

POAGE,  
PURL,  
RUSSEK,  
MOORE,

On the part of the Senate;

ENGELHARD,  
MOORE,  
PALMER,  
PARKHOUSE,  
HODGES,

On the part of the House.

On motion of Mr. Engelhard, the report was adopted by the following vote:

Yeas—114

Adamson.	Coombes.
Alexander.	Cowley.
Alsup.	Crossley.
Anderson	Daniel.
of Bexar.	Davidson.
Baker.	Dean.
Barrett.	Devall.
Barron.	Dunagan.
Beck.	Engelhard.
Bedford.	Fain.
Bourne.	Ford.
Bradley.	Fuchs.
Calvert.	Glass.
Camp.	Golson.
Canon.	Good.
Cathey.	Goodman.
Celaya.	Greathouse.
Chastain.	Griffith.
Clayton.	Haag.
Colson.	Hankamer.

Harris.	Puryear.
Harrison.	Ramsey.
Head.	Ratliff.
Hicks.	Ray.
Hill of Brazoria.	Reed of Bowie.
Hodges.	Reed of Dallas.
Holekamp.	Renfro.
Holland.	Riddle.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hyder.	of Ochiltree.
Jackson.	Rollins.
James.	Ross.
Jefferson.	Russell.
Johnson	Savage.
of Anderson.	Scarborough.
Jones of Atascosa.	Scott.
Jones of Runnels.	Shannon.
Jones of Shelby.	Shults.
Kayton.	Stanfield.
Kyle of Hays.	Steward.
Laird.	Stinson.
Latham.	Stovall.
Lotief.	Sullivant.
Mackay.	Tarwater.
Magee.	Thomas.
McClain.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Mitcham.	Van Zandt.
Moffett.	Vaughan.
Moore.	Wagstaff.
Morrison.	Walker.
Morse.	Weinert.
Munson.	Wells.
Nicholson.	Wood.
Palmer.	Young.
Parkhouse.	

Nays—3

Graves.	Winningham.
Lindsey.	

Absent

Burns.	Leonard.
Butler.	Long.
Caven.	Mathis.
Dunlap.	McCullough.
Duvall.	McDougald.
Dwyer.	McGregor.
Few.	Metcalf.
Harman.	Patterson.
Hartzog.	Pavlica.
Hester.	Pope.
Holloway.	Smith.
Hunt.	Tennyson.
Kyle of Palo Pinto.	

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

CONFERENCE COMMITTEE RE-  
PORT ON HOUSE BILL  
NO. 303

Mr. Ratliff submitted the following conference committee report on House Bill No. 303:

Committee Room,  
Austin, Texas, May 19, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, appointed to adjust the differences between the Senate and House of Representatives on

H. B. No. 303, A bill to be entitled "An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended, or repealed, or re-enacted, and which were operating and carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members; etc.; and declaring an emergency,"

Beg to report that the differences have been adjusted, and we recommend the adoption of the bill herewith submitted:

"H. B. No. 303,

A BILL

To Be Entitled

An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended, or repealed, or re-enacted, and which were operating and carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members; and revoking, repealing, and cancelling the charters of such corporations failing to comply with this Act, and forever prohibiting said corporations from doing business in this State, and providing for their liquidation; and revoking, repealing, and cancelling the charters of all mutual relief or benefit associations exempt from the

insurance laws of this State under the provisions of Article 2971-a, Revised Statutes of 1879, and Articles 3096 and 3096-w, of the Revised Statutes of 1895, failing to comply with the terms of this Act, and forever prohibiting said associations from doing business in this State, and providing for the liquidation of same; and excepting certain insurance companies and associations from the provisions of this Act, and providing that no other insurance laws, unless expressly mentioned, shall apply to the corporations operating under this Act; and providing penalties for the violations hereof; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Corporations Included. Any corporation organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended or repealed or re-enacted, and which was operating and actually carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of its members by assessments made upon its members may comply with the terms of this Act, subject to the subsequent provisions hereof.

Sec. 2. Application for Certificate. Any corporation entitled to and desiring to avail itself of the provisions of this Act shall within six months after the effective date of this Act make application to the Board of Insurance Commissioners for a certificate and permit to do business under the terms of said Act. Said application shall be sworn to by the president or general manager of said corporation and shall contain the following:

(1) It shall have attached as exhibits a certified copy of the charter of said corporation, certified copies of all amendments, and a copy of all by-laws of said corporation certified by the secretary or general manager of the corporation to be true and correct.

(2) The name of the corporation.

(3) The location of its principal office.

(4) The titles of the officers of the corporation and the number of direc-

tors and the names of persons who will serve as officers and directors until another election is held.

(5) It shall state the facts with reference to the corporation as set out in the preceding section, to wit:

(a) That said corporation was organized under a pre-existing law;

(b) That said law has been amended, or repealed, or re-enacted;

(c) That said corporation was operating and actually carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of its members by assessments made upon its members.

(6) That the corporation at the time of making its application has a membership of at least five hundred members and that there is not outstanding against said corporation an unpaid final judgment of any court of competent jurisdiction more than ninety days past due.

(7) The application shall be accompanied by a financial statement on the form prescribed by the Board of Insurance Commissioners.

Sec. 3. Certificate and Permit. The Board of Insurance Commissioners may require such reasonable additional proof of the truth of the facts stated in said application as they may deem necessary, and upon consideration of said application and the proof furnished the said Board of Insurance Commissioners, if the corporation has in all things complied with the pertinent requirements and provisions of this Act, then the Board of Insurance Commissioners shall issue to the corporation a certificate and permit, the form of same to be prescribed by the said Board, authorizing and permitting the said corporation to carry on its business in the State of Texas under the provisions of this Act.

But if it appears from said application or otherwise, that the corporation has not fully complied with the pertinent requirements and provisions of this Act, then the Board of Insurance Commissioners shall refuse said application and shall refuse to issue said permit.

No such corporation shall continue to operate in this State if the Board has notified it in writing of the refusal of the Board to issue it a certificate and permit. But any such corporation may within sixty days after receiving such notice file a suit in any district court of Travis Coun-

ty, Texas, to review the said action of the Board and may by trial de novo have all necessary relief both in law and equity to enforce its rights under this Act.

Nothing in this Act shall be construed to validate or otherwise sanction any unlawful act of any such corporation, except when such unlawful act may have been construed to be unlawful simply by reason of the fact that the law under which said corporation was created has since been repealed or amended so as to omit therefrom such corporations as are described in this Act.

Sec. 4. Deposits. Before any certificate or permit shall issue to any corporation under the terms of this Act, the corporation shall furnish the Board of Insurance Commissioners with evidence of the fact that the corporation has on deposit with some bank or trust company in this State subject to the payment of its obligations for benefits due under its policies or certificates wheresoever incurred a sum equal to the face value of the maximum loss insured by said corporation in any individual policy issued by it. Said deposit shall not be subject to check by the corporation, but the corporation may draw the interest, if any, accruing on said deposit. Said deposit shall be held for the protection of policyholders and claimants wheresoever the rights of said policyholders and claimants may have accrued or been incurred, the purpose of said fund being to guarantee the payment of the amount owing by the corporation on any valid claim against such corporation for benefits under a policy or certificate after determination by a court of final jurisdiction wherever rendered. Said deposit shall be subject to the extraordinary writs of attachment and garnishments as provided by the laws of this State, but said writs shall not issue until final judgment has been rendered against the corporation. If said fund shall become depleted or shall become impounded by some process of a court, then the Board of Insurance Commissioners shall require the corporation to immediately restore said deposit to its original sum, and upon the failure of the corporation to so restore said deposit within ten days after such notice, the Board of Insurance Commissioners shall call upon the Attor-

ney General to proceed against the corporation as provided in Section 13 of this Act.

Sec. 5. Annual Statement. On or before the first day of March of each year, each corporation availing itself of the provisions of this Act shall file with the Board of Insurance Commissioners complete and full sworn statement of its financial condition on the thirty-first day of December next preceding. Such statement shall plainly exhibit all real and contingent assets, and all liabilities and an account of income and disbursements to and from the mortuary fund during the year, and on blanks which the Commissioners shall furnish for the making of such annual statements. Upon examination of said report, the Board of Insurance Commissioners, if such report shows that the corporation is in all things complying with this law, shall issue such corporation a certificate of authority to transact its business in this State for the year next succeeding the filing of said report.

Sec. 6. Examination. The Board of Insurance Commissioners, in addition to the annual report, shall, once in every two years or oftener, if deemed advisable, require the books and affairs of any corporation examined and audited by an accountant designated and commissioned by the Board of Insurance Commissioners. For the purpose of any examinations, the Board and auditor shall have free access to all books, papers, and accounts of the corporation, and said cost, not to exceed twenty-five dollars per day, for time required in making such examination, and audit, and necessary expense, shall be paid by the corporation. Such corporation shall not be required to pay for more than two audits in one year, nor more than twenty-five dollars (\$25) per each one thousand members.

Sec. 7. (a) Officer's Bond. Such corporation shall, by resolution adopted and entered on its minute books, a copy of which, properly certified by president, secretary, or general manager, shall be filed with the Board of Insurance Commissioners, designate some officer, who shall be responsible in the handling of the funds of the corporation. Such officer shall make and file a surety bond with a

corporate surety company authorized to write surety bonds in this State, as surety, in the sum of not less than five thousand dollars (\$5,000), payable to the Board of Insurance Commissioners for the use and benefit of said corporation, and which shall, at all times, be equal to the amount of the mortuary fund on hand, not to exceed twenty thousand dollars (\$20,000), which said bond shall obligate the principal and surety to pay such pecuniary loss, not exceeding the penalty of the bond, as the corporation shall sustain of money or property by any act or acts of fraud, dishonesty, forgery, theft, embezzlement, wrongful abstraction, or willful misapplication on the part of said officer, directly or through connivance with others, while employed as such officer or exercising powers of such office. In lieu of such bond, any such officer may deposit with the Board of Insurance Commissioners cash (or securities approved by the Commission) which cash or securities shall be in the amount and subject to the same conditions as provided for said bond.

(b) Recovery on Bond. When the Board of Insurance Commissioners is informed that any officer of any such corporation has violated the terms of his said bond, the Board shall cause an audit or examination to be made, and if same reveal a violation, it shall immediately notify the company executing said bond, and if the Board deem it necessary, request the Attorney General to bring suit against such company under said bond or to enforce the liability against said cash or securities. It shall be the duty of the Attorney General to immediately file such suit in the name of the Board of Insurance Commissioners for the benefit of the corporation or its claimants. Such suit shall be brought in some court of competent jurisdiction in Travis County, Texas.

Sec. 8. Branch Offices. No corporation operating under this Act shall be permitted to operate any independent branch office, separate group, club, or class, under any other name than that of said corporation, but all of its policies shall be issued in the home office of said corporation. Nothing herein shall be construed, however, as to prohibit any corporation hereunder from providing by its by-laws for the creation of separate groups, clubs, or classes, based upon such a

reasonable classification as specified in the by-laws, and providing in the policies issued to the members of such groups, clubs, or classes that the benefits under said policies shall be limited to the assessments made, levied, and collected from any such particular group, club, or class, respectively. It is further provided that no stock, or assets, or benefits of any such particular group, club, or class shall be pledged, sold, or transferred without the consent of three-fourths of the members of such particular group, club, or class.

Sec. 9. Benefits. The relief funds of any corporation complying with and operating under the terms of this Act shall be created by assessments levied upon the members of said corporation. Such assessments may be made periodically upon such contingencies as may be provided in the by-laws of the corporation, or at such stated periods as in the discretion of the managing officer or officers of the corporation may be deemed necessary. The benefits to be paid by such corporation shall be dependent upon the amount realized from assessments upon the membership, and the certificate shall so provide; and the certificate shall also state the maximum to be paid. Such corporation shall provide in its by-laws for the portion of its assessments to be allotted to the mortuary fund, and may provide for the payment out of said mortuary fund of all attorneys' fees and necessary expenses arising out of the defense, settlement, or payment of contested claims.

The interest of a beneficiary in a life insurance policy, or contract, heretofore or hereafter issued, shall be forfeited when the beneficiary is the principal or an accomplice in wilfully bringing about the death of the insured. When such is the case, the nearest relative of the insured shall receive said insurance.

Sec. 10. By-Laws. Each corporation shall submit to the Board of Insurance Commissioners a copy of its by-laws. Such by-laws shall contain all things required by this Act, and shall not contain any provision in conflict with this Act. The by-laws shall provide for the periodical meetings of the membership, and for special meetings, at which meetings all members shall be permitted to vote. The Board of Insurance Commissioners shall ex-

amine such by-laws, and if the same comply with the provisions of this Act, shall signify their approval of same. If they shall not be in accordance with the provisions hereof, then the corporation shall make said by-laws conform hereto. Upon approval of the by-laws a copy duly certified to by the president or general manager and the secretary of the corporation shall be filed with the Board of Insurance Commissioners, and a copy duly certified by such Board shall be received in evidence in all the courts of this State. All policies issued by a corporation under this Act shall provide that said policy is subject to the by-laws of the corporation and all future amendments thereto. All amendments shall be filed with the Board of Insurance Commissioners in a like manner as the original by-laws. A certified copy of any changes in the by-laws of each such corporation shall be mailed to each of the stockholders and/or members at the next assessment after such change in the by-laws is made.

Sec. 11. Policies. No corporation hereunder shall issue any certificate or policy upon a limited payment plan, nor guarantee or promise to pay any type of endowment or annuity benefits, but shall confine its operation to the issuance of certificates looking to continuous payment premiums or assessments during the lifetime of the policyholder. And provided further, that no such corporation shall issue any certificate or deposit agreeing to pay any benefits until a copy of such certificate or policy has been filed with the Board of Insurance Commissioners and approved by them as being in compliance with this Act.

Every policy or certificate issued by any such corporation after the passage of this Act shall contain a provision that if said policy has been continuously in force for a period of two years before the death of the insured member, then said policy shall be incontestable except for non-payment of dues or assessments. Nothing in any application for the policy shall constitute a defense against any claim or loss under the policy unless a copy of said application is attached to the policy, and no misrepresentation therein shall constitute a defense unless same shall be shown to be material to the risk assumed, and any person who shall solicit an application

for insurance upon the life of another shall, in any controversy between the insured and his beneficiary and the company issuing any policy upon such application, be regarded as the agent of the company, and not the agent of the insured, but such agent shall not have power to waive, change, or alter any of the terms or conditions of the application or policy.

Sec. 12. No corporation operating under this Act shall write any policy or certificate of insurance calling for a maximum benefit in excess of five thousand dollars (\$5,000), nor any policy or certificate of insurance unless the membership of said corporation, liable for assessments on said policy or certificate or group or class or club liable therefor shall be sufficient in number at the assessment rate charged said class to pay 50 per cent of the maximum benefit set forth in said policy or certificate. In the event the membership in any group, class, or club of said corporation shall fall below such number, then the corporation shall immediately notify the members of such group, class, or club, and if said membership is not increased to said number within six months thereafter, said group, class, or club shall be consolidated with some other group, class, or club, or discontinued. In the event any corporation hereunder has only one class, group, or club, then in the event the membership of said corporation shall at any time fall below 50 per cent of the number required at the assessment rate charged to pay the maximum benefit provided by any one of its policies or certificate, the corporation shall immediately notify the members of the corporation, and unless the membership is increased to said number within six months thereafter, the Attorney General shall take steps under Section 13 of this Act to bring about the liquidation of said corporation.

Sec. 13. Insolvency. At any time the Board of Insurance Commissioners, after investigation, shall be satisfied that any corporation operating under the provisions of this Act in this State is insolvent, because the death claims due and unpaid which have matured under policies written after such corporation complied with the terms of this Act exceed the assets of the corporation and assessments or periodical payments called,

or to be called, or in the process of collection, or which may reasonably be made against the members subject to assessment, or has exceeded its powers, failed to comply with any provision of the laws of this State applicable to it, or has a membership of less than five hundred paying their assessments, the Board shall report the fact to the Attorney General of this State who shall thereupon apply to any court in Travis County having jurisdiction thereof for leave to file a suit in the nature of quo warranto to forfeit the charter of such corporation or to require it to comply with the law or to satisfy the Board as to its solvency. The court may, in its discretion, appoint agents or receivers to take charge of the effects and wind up the business of the corporation, under usages and practices of equity, and may make disposition of the business and membership of the corporation as in the discretion of the court may seem proper. No suit for receiver shall be filed against any such corporation, nor shall any receiver be appointed, except upon the application therefor by the Attorney General, and in no event shall any receiver for any such corporation be appointed until after reasonable notice has issued and a hearing had before the court.

Sec. 14. Corporations Not Complying. No person, firm, unincorporated, association, or corporation shall carry on in this State the State-wide business of mutually protecting or insuring the lives of its members by assessments made upon its members except under the terms of and by complying with the provisions of this Act. The charter of each corporation in this State entitled to comply with the terms of this Act which does not make application to do so within six months after the Act shall go into effect is hereby expressly repealed and revoked, and such corporation is hereafter forever prohibited from carrying on its business in this State. Each and every charter of every corporation and mutual relief or benefit association granted by the State of Texas under the authority of the Secretary of State of this State, which was or is exempt from the provisions of the insurance laws of this State by the terms of Article 2971-a, R. S. 1879 (Article 3096, Revised Statutes, 1895), and Article 3096-w, Revised Statutes, 1895, which cor-

porations do not make application to comply with the terms of this Act within six months after the Act takes effect, is hereby expressly repealed and revoked and said corporations are hereafter forever prohibited from carrying on any business in this State. It is the expressed intent of this Section and this Act to revoke, repeal, and cancel the charter of every corporation, dormant, or otherwise, exempt from the insurance laws of this State by Article 2971-a, Revised Statutes 1879, and Article 3096 and 3096-w, Revised Statutes of 1895, which fails to comply with the terms of this Act. The charters of all corporations complying with this Act are expressly continued in force during the terms of said charters subject to the provisions hereof. It shall be the duty of the Attorney General of this State immediately upon the expiration of six months after the effective date of this Act to take necessary action by quo warranto, application for receiver, or otherwise to enforce the forfeiture of charters as provided herein and to liquidate and close the affairs of any corporation herein referred to which has failed to comply with the terms of this Act.

Sec. 15. Penalty. Any person or persons violating any of the provisions of this law shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not more than five hundred dollars (\$500). Any responsible officer of any corporation permitting or participating in the violation of this law by any corporation shall be deemed guilty of a violation of this Act and subject to the penalties herein.

The Attorney General shall be authorized to enforce in addition to the rights of forfeiture provided herein the penalty provided in this Section against any corporation or unincorporated association which shall be guilty of the violation of any of the provisions of this law. The venue of any suit or prosecution under this Section may be in Travis County, Texas.

Sec. 16. Service of Process. In all lawsuits brought against a corporation operating under this Act, service of citation shall be served upon the president, any active vice-president, secretary, or general manager of said corporation or upon the Chairman of

the Board of Insurance Commissioners of this State within the time required for service upon individuals. The Board, when served with citation for such a corporation, shall forthwith transmit the same by registered mail to the corporation at the post-office address as designated in records on file with the Board of Insurance Commissioners.

Sec. 17. Venue. In all actions brought against corporations operating under this Act growing out of or based upon any right of claim or loss or proceeds due, arising from or predicated upon any claim for benefits under any policy or contract of insurance issued by such corporation, venue shall lie in the county where the policy holder or beneficiary instituting such suit resides or in the county of the principal office of such corporation.

Sec. 18. Fees. For filing original application for certificate to operate under this Act, each corporation shall pay a filing fee of twenty dollars (\$20), to the Board of Insurance Commissioners. The Board shall also charge a fee of one dollar (\$1) per each certificate and permit to do business issued. For filing each annual report the Board shall charge a filing fee of ten dollars (\$10). All of said fees upon receipt shall be paid into the General Fund of the State.

Sec. 19. Exceptions and Exemptions. This Act shall in no wise affect or apply to companies operating as local mutual aids, as fraternal benefit societies, reciprocal exchanges, or to foreign assessment companies operating under any other law in this State, or any other form of insurance other than those corporations carrying on in this State the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members. Except as herein expressly provided, no insurance law of this State shall apply to any corporation operating under this Act, and no law hereafter enacted shall apply to them unless they be expressly designated therein.

Sec. 20. Constitutionality. If any section, subsection, sentence, or phrase of this Act is held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Act, it being the intent of the



Legislature that such remaining portion shall operate as a valid law.

Sec. 21. Emergency Clause. The fact that the Supreme Court of Texas and the Court of Civil Appeals for the Third Supreme Judicial District of Texas have recently upheld legality and validity of the charters of certain corporations in this State carrying on a State-wide business of mutually protecting or insuring the lives of their members by assessments upon their members, and there is no law upon the statute books regulating or controlling the operation of said corporations, and corporations similarly operating, and said corporations are without adequate supervision of the Board of Insurance Commissioners of the State of Texas, create an emergency and an imperative public necessity exists that the constitutional rule, requiring bills to be read on three separate and several days in each House, shall be suspended, and that this bill be placed on its third reading and final passage, and take effect from and after its passage, and said rule is hereby suspended, and it is so enacted.

Respectfully submitted,

ONEAL,  
POAGE,  
PURL,  
COLLIE,  
MOORE,

On the part of the Senate;

RATLIFF,  
ALEXANDER,  
ANDERSON  
of Johnson,  
KYLE

of Palo Pinto,  
WAGSTAFF,

On the part of the House.

On motion of Mr. Ratliff, the report was adopted by the following vote:

Yeas—110

Adamson.	Calvert.
Alexander.	Camp.
Alsup.	Canon.
Anderson	Cathey.
of Bexar.	Celaya.
Baker.	Clayton.
Barron.	Colson.
Beck.	Cowley.
Bedford.	Crossley.
Bourne.	Davidson.
Bradley.	Dean.
Burns.	Devall.

Dunagan.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Ford.	Morrison.
Fuchs.	Munson.
Glass.	Nicholson.
Golson.	Palmer.
Good.	Parkhouse.
Goodman.	Purveyer.
Graves.	Ramsey.
Greathouse.	Ratliff.
Griffith.	Ray.
Haag.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harris.	Renfro.
Harrison.	Riddle.
Head.	Roberts.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Holland.	Russell.
Hoskins.	Savage.
Huddleston.	Scarborough.
Hughes.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Steward.
Jefferson.	Stinson.
Johnson	Stovall.
of Anderson.	Sullivant.
Jones of Runnels.	Tarwater.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Vaughan.
Latham.	Wagstaff.
Lindsey.	Walker.
Lotief.	Weinert.
Mackay.	Wells.
Magee.	Winningham.
McClain.	Wood.
McKee.	Young.
Merritt.	

Nays—2

Coombes. Morse.

Absent

Barrett.	Leonard.
Butler.	Long.
Caven.	Mathis.
Chastain.	McCullough.
Daniel.	McDougald.
Dunlap.	McGregor.
Duvall.	Metcalfe.
Dwyer.	Patterson.
Few.	Pavlica.
Harman.	Pope.
Hartzog.	Ross.
Hester.	Smith.
Holloway.	Stanfield.
Hunt.	Tennyson.
Jones of Atascosa.	Van Zandt.

## Absent—Excused

Aikin.	Hill of Webb.
Anderson	Johnson of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.

## HOUSE BILLS ON FIRST READING

Mr. Beck moved to introduce, at this time, and have placed on first reading, the following bills:

The motion prevailed by the following vote:

Yeas—104

Adamson.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Anderson	Kyle of Hays.
of Bexar.	Laird.
Baker.	Lindsey.
Barrett.	Lotief.
Beck.	Mackay.
Bedford.	Magee.
Bourne.	Mathis.
Bradley.	McClain.
Burns.	McKee.
Calvert.	Merritt.
Canon.	Mitcham.
Cathey.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Coombes.	Morse.
Cowley.	Nicholson.
Crossley.	Palmer.
Daniel.	Puryear.
Davidson.	Ramsey.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Harris.	Shults.
Head.	Steward.
Hicks.	Stinson.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Thomas.
Huddleston.	Townsend.
Hughes.	Turlington.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.

## Wood.

Barron.  
Butler.  
Camp.  
Caven.  
Celaya.  
Chastain.  
Dunlap.  
Duvall.  
Dwyer.  
Good.  
Goodman.  
Harman.  
Harrison.  
Hartzog.  
Hester.  
Hill of Brazoria.  
Holloway.  
Hunt.  
Jones of Atascosa.

## Young.

## Absent

Kyle of Palo Pinto.  
Latham.  
Leonard.  
Long.  
McCullough.  
McDougald.  
McGregor.  
Metcalf.  
Munson.  
Parkhouse.  
Patterson.  
Pavlica.  
Pope.  
Rogers of Ochiltree.  
Smith.  
Stanfield.  
Tennyson.  
Tillery.  
Van Zandt.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker laid the bills before the House; they were read first time, and referred to the appropriate committees, as follows:

By Mr. Beck, Mr. Bourne, and Mr. Reed of Bowie:

H. B. No. 951, A bill to be entitled "An Act amending Section or Subdivision 102, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; and changing the length of the terms of the district court in the counties in the said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; etc.; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Beck, Mr. Crossley, and Mr. Reed of Bowie:

H. B. No. 952, A bill to be entitled "An Act amending Section or Subdivision 5, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of court of the District Court

of the Fifth Judicial District of Texas; and changing the length of the terms of the district court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act; etc.; and declaring an emergency."

Referred to Committee on Judicial Districts.

Mr. Ross moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—104

Adamson.	James.
Alexander.	Jefferson.
Alsup.	Johnson
Anderson	of Anderson.
of Bexar.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Barron.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Bradley.	Lemens.
Calvert.	Lindsey.
Canon.	Lotief.
Celaya.	Mackay.
Clayton.	Magee.
Colson.	Mathis.
Coombes.	McClain.
Cowley.	McKee.
Daniel.	Merritt.
Davidson.	Mitcham.
Dean.	Moffett.
Devall.	Moore.
Dunagan.	Morrison.
Dwyer.	Morse.
Fain.	Munson.
Ford.	Palmer.
Fuchs.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Riddle.
Hankamer.	Roberts.
Harris.	Rollins.
Harrison.	Ross.
Head.	Russell.
Hicks.	Savage.
Hill of Brazoria.	Scarborough.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stinson.
Hughes.	Stovall.
Hyder.	Sullivant.
Jackson.	Tarwater.

Thomas.  
Tillery.  
Townsend.  
Turlington.  
Vaughan.  
Wagstaff.

Walker.  
Weinert.  
Wells.  
Winningham.  
Wood.  
Young.

Nays—2

Glass.

Puryear.

Absent

Beck.  
Burns.  
Butler.  
Camp.  
Cathey.  
Caven.  
Chastain.  
Crossley.  
Dunlap.  
Duvall.  
Engelhard.  
Few.  
Goodman.  
Harman.  
Hartzog.  
Hester.  
Holloway.  
Hunt.

Kayton.  
Leonard.  
Long.  
McCullough.  
McDougald.  
McGregor.  
Metcalf.  
Nicholson.  
Parkhouse.  
Patterson.  
Pavlica.  
Pope.  
Rogers of Hunt.  
Rogers of Ochiltree.  
Scott.  
Smith.  
Tennyson.  
Van Zandt.

Absent—Excused

Aikin.  
Anderson  
of Johnson.  
Fisher.

Hill of Webb.  
Johnson of Dimmit.  
Latham.  
Reader.

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Ross and Mr. Tillery:

H. B. No. 953, A bill to be entitled "An Act to amend Senate Bill No. 195, known as the Congressional Redistricting Bill, passed by the Forty-third Legislature at the Regular Session thereof, by fixing the counties to hereafter compose the Second and Seventh Congressional Districts; and declaring an emergency."

Referred to Committee on Congressional and Legislative Districts.

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on Senate Bill No. 472 by the following vote: Yeas, 27; nays, 1.

The Senate has passed

S. B. No. 338, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of 1925, as amended by Chapter 153, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6221, Revised Civil Statutes of 1925, as amended by Chapter 5, General Laws of the Second Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

Senator Woodward has resigned from the conference committee considering differences between the two Houses on Senate Bill No. 412. Senator Moore has been appointed on the part of the Senate.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 655 ON SECOND READING

On motion of Mr. Canon, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 655, A bill to be entitled "An Act amending Article 3026, of Chapter Eight (8), of the Revised Civil Statutes of 1925, and declaring an emergency." (Relating to election procedure.)

The Speaker laid the bill before the House, and it was read second time.

Mr. McKee offered the following committee amendments to the bill:

(1)

Amend House Bill No. 655 by adding the following Section:

"Section 3. Because of the fact that the present system of placing poll tax lists (with ballot numbers thereon) in ballot boxes, and also allowing election judges and other county officials to retain poll lists with ballot numbers thereon, all of which lead many citizens to believe that their votes should be of knowledge only to themselves, create an emergency and an imperative public neces-

sity that the constitutional rule, requiring bills to be read on three several days, be suspended, and said rule is so suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 655, Section 2, page 2, by striking out the word "with" on the last line of said Section, and insert in lieu thereof the word "without."

(3)

Amend House Bill No. 655 by inserting after the word "retained," as shown in Section 1, Article 3026, line 19, the words "and sealed."

(4)

Amend House Bill No. 655, page 1, Section 1, in line 27, by inserting after the word "envelope," the following: "within twenty-four hours after the election returns are made."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 655 then failed to pass to engrossment.

#### HOUSE CONCURRENT RESOLUTION NO. 100 WITH SENATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 100, Authorizing certain correction in conference committee report on Senate Bill No. 262.

The Speaker laid the resolution before the House, with the Senate amendments.

On motion of Mr. Moffett the House concurred in the Senate amendments.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 567, to the Committee on Judicial Districts.

Senate Bill No. 338, to the Committee on State Affairs.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 24, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 867. The following have been appointed on the part of the Senate: Senators Fellbaum, Poage, Blackert, Hornsby, and Oneal.

The Senate has adopted

H. C. R. No. 100, Authorizing the Enrolling Clerk of the Senate to make certain corrections in conference committee report on Senate Bill No. 262. (With amendments.)

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### RECESS

On motion of Mr. Fain, the House at 5:40 o'clock p. m., took recess to 7:30 o'clock p. m., today.

#### NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

#### SENATE BILL NO. 478 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 478, A bill to be entitled "An Act to amend Articles 1670 and 1673, of the Revised Civil Statutes of the State of Texas, 1925, which Articles relate to the prescription of a system and the forms to be used for receipts and disbursements of navigation districts, and the method of appointment and payment of assistants to the county auditor in counties of more than 330,000 population, having a navigation district or other improvement districts, in cases in which said assistants are required for services in auditing the accounts of such districts; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 426 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 426, A bill to be entitled "An Act repealing Chapter 241, of the Special Laws of Texas, passed by the Forty-second Legislature, at its Regular Session, as amended by Chapter 29, of the General and Special Laws of Texas, passed by the Forty-second Legislature, at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59, of Article XVI, of the Constitution; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 560 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 560, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable only to counties having a population of twelve thousand (12,000) to twelve thousand and five hundred (12,500), according to the last preceding United States Census; and declaring an emergency."

The bill was read second time.

Mr. Tarwater offered the following amendments to the bill:

(1)

Amend Senate Bill No. 560 by changing the figures "12,000," where they appear in the bill, to "12,375," and the figures "12,500" to "12,445."

(2)

Amend Senate Bill No. 560 by adding a new Section, to be numbered Section 1-a:

"Section 1-a. The passage of this Act shall not validate any tax levy that is now in litigation, nor shall any pending litigation be affected in any way thereby."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 560 was then passed to third reading.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 928. The following have been appointed on the part of the Senate: Senators Rawlings, Regan, Stone, Duggan, and Sanderford.

The Senate has passed

S. B. No. 571, "An Act to amend Articles 1257 and 1259 of the Revised Civil Statutes of 1925, relating to abolition of corporate existence of cities and towns, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL NO. 542 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 542, A bill to be entitled "An Act providing for the formation

of a county-wide common school district in Kinney County on majority vote of the qualified votes of said County; for the abolition of existing school districts therein; for the election of trustees of said county-wide district; authorizing the levy, assessment and collection of taxes, and elections therefor; prescribing powers and duties of such trustees; enacting other incidental provisions; and declaring an emergency."

The bill was read second time.

Mr. Jones of Atascosa offered the following amendments to the bill:

(1)

Amend Senate Bill No. 542 by striking out, in line seven (7), Section ten (10), on page five (5), the words "to establish and maintain a junior college."

(2)

Amend Senate Bill No. 542, Section 6, lines 8 and 9, by striking out the words and figures "sixty cents," and inserting in lieu thereof the words and figures "fifty cents."

The amendments were severally adopted.

Senate Bill No. 542 was then passed to third reading.

#### SENATE BILL NO. 515 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 515, A bill to be entitled "An Act to amend Article 955, Penal Code, as amended by Chapter 257, General and Special Laws, Regular Session, Forty-first Legislature, as amended by Chapter 304, General Laws, passed at the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh-water streams of certain named counties, providing means and method of taking and possessing fish from fresh-water streams of said counties; defining offenses and prescribing the penalty for violation thereof; and omitting Bell County from the list of said counties; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 5 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 5, A bill to be entitled "An Act to amend Article 2029, of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 124, of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to add navigation districts' bonds to those acceptable for deposit by State depositories; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 434 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 434, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas of 1925, providing additional purposes for which corporations may be formed under the laws of the State of Texas."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 492 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 492, A bill to be entitled "An Act to amend Chapter 2, Title 78, Revised Civil Statutes of 1925, permitting the organization of fraternal benefit societies on a limited basis; providing the requirements that must be met before permit shall be issued to such society by the Insurance Department of the State of Texas; providing that a society, organized under this provision, shall be subject to all the provisions of Chapter 8, that are applicable; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Coombes offered the following amendment to the bill:

Amend Senate Bill No. 492 by striking out Section 2.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 492 was then passed to third reading.

Mr. Chastain moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., today, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—49

Alsup.	Jones of Shelby.
Beck.	Kayton.
Burns.	Laird.
Chastain.	Latham.
Crossley.	Lotief.
Daniel.	Mackay.
Dunagan.	McClain.
Fain.	Merritt.
Ford.	Parkhouse.
Fuchs.	Pope.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Rollins.
Greathouse.	Ross.
Griffith.	Scott.
Harris.	Shannon.
Hartzog.	Steward.
Hicks.	Stovall.
Hill of Brazoria.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Holloway.	Wagstaff.
Hoskins.	Walker.
Jackson.	Young.
Jones of Runnels.	

## Nays—42

Adamson.	Long.
Anderson	Magee.
of Bexar.	Mitcham.
Bourne.	Moore.
Calvert.	Morrison.
Canon.	Morse.
Clayton.	Munson.
Colson.	Nicholson.
Coombes.	Palmer.
Cowley.	Pavlica.
Davidson.	Ramsey.
Dwyer.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Glass.	Renfro.
Harman.	Russell.
Hodges.	Scarborough.
Hughes.	Shults.
Hyder.	Turlington.
Jones of Atascosa.	Vaughan.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Wood.
Leonard.	

## Absent

Alexander.	Johnson
Baker.	of Anderson.
Barrett.	Lindsey.
Barron.	Mathis.
Bedford.	McCullough.
Bradley.	McDougald.
Butler.	McGregor.
Camp.	McKee.
Cathey.	Metcalfe.
Caven.	Moffett.
Celaya.	Patterson.
Dean.	Puryear.
Devall.	Riddle.
Dunlap.	Roberts.
Duvall.	Rogers of Hunt.
Few.	Rogers
Graves.	of Ochiltree.
Haag.	Savage.
Hankamer.	Smith.
Harrison.	Stanfield.
Head.	Stinson.
Hester.	Sullivant.
Huddleston.	Tillery.
Hunt.	Townsend.
James.	Van Zandt.
Jefferson.	Weinert.
	Winningham.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

On motion of Mr. Chastain, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the Speaker announced that there was a quorum present.

## SENATE BILL NO. 508 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 508, A bill to be entitled "An Act repealing Chapter 78, Acts of the Fortieth Legislature of the State of Texas, conferring jurisdiction of the County Court at Law of McLennan County on the County Court of said County, and the powers possessed by said Court and the Judge thereof on the County Court and County Judge, respectively, of McLennan County, transferring pending causes and making pending processes returnable to the County Court of McLennan County, disposing of fees of office, fixing the salary of the County Judge of Mc-

Lennan County; and declaring an emergency."

The bill was read second time.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate Bill No. 508 was then passed to third reading by the following vote:

## Yeas—56

Adamson.	Moffett.
Alsup.	Moore.
Beck.	Morrison.
Bedford.	Morse.
Camp.	Palmer.
Chastain.	Patterson.
Colson.	Pavlica.
Cowley.	Pope.
Crossley.	Ramsey.
Davidson.	Ratliff.
Dunagan.	Reed of Bowie.
Fain.	Renfro.
Ford.	Roberts.
Glass.	Rollins.
Golson.	Ross.
Griffith.	Scarborough.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Steward.
Jackson.	Tarwater.
James.	Thomas.
Jones of Shelby.	Tillery.
Kyle of Hays.	Turlington.
Mackay.	Vaughan.
Magee.	Wells.
Merritt.	Winningham.
Metcalfe.	Wood.
Mitcham.	Young.

## Nays—26

Anderson	Jones of Atascosa.
of Bexar.	Jones of Runnels.
Burns.	Latham.
Canon.	Long.
Dean.	Nicholson.
Fuchs.	Parkhouse.
Good.	Puryear.
Goodman.	Ray.
Greathouse.	Reed of Dallas.
Hankamer.	Russell.
Harman.	Stovall.
Hicks.	Townsend.
Holloway.	Wagstaff.
Hyder.	

## Present—Not Voting

Mr. Speaker.	Kyle of Palo Pinto.
Bourne.	Leonard.
Calvert.	Lotief.
Coombes.	Munson.
Harris.	Savage.
Hartzog.	Scott.
Hill of Brazoria.	Stinson.
Hoskins.	Tennyson.
Kayton.	Walker.



## Absent

Alexander.	Hughes.
Baker.	Hunt.
Barrett.	Jefferson.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Laird.
Cathey.	Lindsey.
Caven.	Mathis.
Celaya.	McClain.
Clayton.	McCullough.
Daniel.	McDougald.
Devall.	McGregor.
Dunlap.	McKee.
Duvall.	Riddle.
Dwyer.	Rogers of Hunt.
Engelhard.	Rogers
Few.	of Ochiltree.
Graves.	Smith.
Haag.	Stanfield.
Harrison.	Sullivant.
Head.	Van Zandt.
Hester.	Weinert.
Huddleston.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

SENATE BILL NO. 508 ON THIRD  
READING

Mr. Ford moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 508 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—81

Adamson.	Golson.
Alexander.	Griffith.
Alsup.	Harris.
Anderson	Hicks.
of Bexar.	Hill of Brazoria.
Beck.	Hodges.
Bedford.	Holekamp.
Bourne.	Holland.
Burns.	Hoskins.
Calvert.	Hughes.
Camp.	Jackson.
Canon.	James.
Chastain.	Jones of Shelby.
Crossley.	Kayton.
Daniel.	Kyle of Hays.
Davidson.	Laird.
Dean.	Latham.
Dunagan.	Leonard.
Fain.	Long.
Ford.	Lotief.
Fuchs.	Mackay.
Glass.	Magee.

Merritt.	Russell.
Metcalfe.	Savage.
Mitcham.	Scarborough.
Moffett.	Shults.
Moore.	Stanfield.
Morrison.	Steward.
Morse.	Stovall.
Palmer.	Tarwater.
Patterson.	Tennyson.
Pavlica.	Thomas.
Ramsey.	Tillery.
Ratliff.	Townsend.
Ray.	Turlington.
Reed of Bowie.	Vaughan.
Renfro.	Wagstaff.
Roberts.	Walker.
Rogers of Hunt.	Wells.
Rollins.	Winningham.
Ross.	Wood.

## Nays—17

Good.	Jones of Runnels.
Goodman.	Kyle of Palo Pinto.
Greathouse.	Munson.
Hankamer.	Nicholson.
Harman.	Parkhouse.
Hartzog.	Purveyar.
Holloway.	Reed of Dallas.
Hyder.	Scott.
Jones of Atascosa.	

## Present—Not Voting

Mr. Speaker.	Jefferson.
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## Absent

Baker.	Huddleston.
Barrett.	Hunt.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Lindsey.
Cathey.	Mathis.
Caven.	McClain.
Celaya.	McCullough.
Clayton.	McDougald.
Colson.	McGregor.
Coombes.	McKee.
Cowley.	Pope.
Devall.	Riddle.
Dunlap.	Rogers
Duvall.	of Ochiltree.
Dwyer.	Shannon.
Engelhard.	Smith.
Few.	Stinson.
Graves.	Sullivant.
Haag.	Van Zandt.
Harrison.	Weinert.
Head.	Young.
Hester.	

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid Senate Bill No. 508 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mr. Ford moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 896 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 896, A bill to be entitled "An Act amending Article 7005, of the Revised Civil Statutes, as amended by Acts of 1931, Forty-second Legislature, page 852, Chapter 360, paragraph 1, including the County of Matagorda, as one of the Counties exempt from the provisions of Title 121, from all laws regulating the inspection of hides and animals."

The bill was read second time.

Mr. Scarborough offered the following amendment to the bill:

Amend House Bill No. 896, by adding the counties as indicated below: Insert the word "Bailey," between the words "Austin" and "Bandera"; insert the word "Garza" between the words "Galveston" and "Gillespie"; insert the words "Jim Hogg" between the words "Jeff Davis" and "Johnson"; insert the word "Parmer" between the words "Parker" and "Pecos."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 896 was then passed to engrossment.

#### HOUSE BILL NO. 896 ON THIRD READING

Mr. Hill of Brazoria moved that the constitutional rule, requiring all bills to be read on three several days, be suspended, and that House Bill No. 896 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Anderson
Alexander.	of Bexar.
Alsup.	Beck.

Bedford.	Magee.
Bourne.	McClain.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Celaya.	Moore.
Chastain.	Morrison.
Coombes.	Morse.
Crossley.	Munson.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Patterson.
Dunagan.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Ray.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Hankamer.	Rogers
Harris.	of Ochiltree.
Hartzog.	Rollins.
Head.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Savage.
Hodges.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Hoskins.	Shults.
Hughes.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.
James.	Tarwater.
Jefferson.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Vaughan.
Kyle of Palo Pinto.	Wagstaff.
Laird.	Walker.
Latham.	Wells.
Leonard.	Winningham.
Long.	Wood.
Mackay.	Young.

Nays—1

Absent

Lotief.	
Baker.	Dwyer.
Barrett.	Few.
Barron.	Ford.
Bradley.	Graves.
Butler.	Haag.
Cathey.	Harman.
Caven.	Harrison.
Clayton.	Hester.
Colson.	Holloway.
Cowley.	Huddleston.
Devall.	Hunt.
Dunlap.	Johnson
Duvall.	of Anderson.

Lindsey.	Riddle.
Mathis.	Rogers of Hunt.
McCullough.	Smith.
McDougald.	Stanfield.
McGregor.	Sullivant.
McKee.	Van Zandt.
Parkhouse.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 896 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 582 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 582, A bill to be entitled "An Act to amend Title 1, Article 52-159, Section 10, of the Code of Criminal Procedure of the State of Texas, 1925, as amended by the Acts of the Forty-first Legislature, First Called Session, Chapter 27, page 61; fixing the salary of the judge of the County Criminal Court of Dallas County, and prescribing the duties of such judge; and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following committee amendment to the bill:

Amend House Bill No. 582, Section 10, by striking out the figures "\$3,600," and inserting in lieu thereof the figures "\$4,500."

STINSON,  
REED of Dallas,  
SAVAGE.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 582 then failed to pass to engrossment.

## HOUSE BILL NO. 583 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 583, A bill to be entitled "An Act to amend Title 41, Chapter 5, Article 1970-6; and Article 1970, of the Revised Civil Statutes of the State of Texas, 1925, as amended by an Act of the Forty-first Legislature, First Called Session, Chapter 26, Section 1, said Article being now known as Article 1970-31; and repealing Article 1970-21; fixing the term of office, qualifications, and salaries of the judges of the County Court of Dallas County at Law Nos. 1 and 2; and prescribing the duties of said judges; and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following amendment to the bill:

Substitute for committee amendment No. 2 to House Bill No. 583, the following:

Amend House Bill No. 583, Section 2, by striking out the figures "\$3,600," and inserting in lieu thereof the figures "\$4,500."

STINSON,  
REED of Dallas,  
SAVAGE.

The amendment was adopted.

House Bill No. 583 then failed to pass to engrossment.

## HOUSE BILL NO. 931 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, House Bill No. 931, relative to the Eighty-ninth Judicial District of Texas.

The bill was read second time.

Mr. Long offered the following amendment to the bill:

Amend House Bill No. 931 by striking out all of Section 6, pertaining to the terms of the Thirtieth (30th) District Court, and insert in lieu thereof the following:

"In the County of Archer on the first Monday in January, April, July, and October, and may continue in session two weeks.

"In the County of Young on the third Monday in January, April, July, and October, and may continue in session three weeks.

"In the County of Wichita on the first Monday after the expiration of the terms above provided for in Young County, and may continue in

session until the first Monday in January, April, July, and October."

LONG,  
HARRIS.

The amendment was adopted.

Mr. Long offered the following amendment to the bill:

Amend House Bill No. 931 by adding two new Sections, 8 and 9, to read as follows:

"Section 8. The Seventy-eighth Judicial District of Texas shall be composed of Wichita County, as now constituted, and the district court and terms thereof shall be held therein as follows: Beginning the first Mondays in January, March, May, July, September, and November, in each year, and each of said terms shall continue until and close at midnight of the Saturday preceding the Monday for the opening of the new and succeeding term, but nothing herein shall prevent the judge of said court from adjourning the same prior to the end of the term if the work of the court has been finished.

"Section 9. That all process issued out of the Seventy-eighth and Thirtieth District Courts in the said District before this Act takes effect is hereby returnable to the terms of said Court as fixed by this Act, and all bonds heretofore executed and recognizances entered of record in said Court shall bind the parties for their appearance or to fulfill the obligation of such bonds and recognizances at the terms of said Court as fixed by this Act, and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Court of said Seventy-eighth Judicial Court shall be as valid as if no change had been made in the time of holding said Court in said District."

LONG,  
HARRIS.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 931 was then passed to engrossment.

#### HOUSE BILL NO. 931 ON THIRD READING

Mr. Long moved that the constitutional rule, requiring bills to be read

on three several days, be suspended, and that House Bill No. 931 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson.	Kayton.
Alsup.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Laird.
Baker.	Latham.
Beck.	Leonard.
Bedford.	Lindsey.
Bourne.	Long.
Burns.	Lotief.
Calvert.	Mackay.
Camp.	Magee.
Canon.	McClain.
Cathey.	Merritt.
Celaya.	Metcalfe.
Chastain.	Mitcham.
Coombes.	Moffett.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Parkhouse.
Dunlap.	Patterson.
Dunagan.	Pavlica.
Fain.	Puryear.
Ford.	Ramsey.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Good.	Renfro.
Goodman.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Harman.	Ross.
Harris.	Russell.
Harrison.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Holloway.	Tarwater.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

Nays—1

Moore.

Absent

Alexander.

Barrett.

Barron.	Mathis.
Bradley.	McCullough.
Butler.	McDougald.
Caven.	McGregor.
Clayton.	McKee.
Colson.	Munson.
Cowley.	Pope.
Duvall.	Reed of Dallas.
Dwyer.	Riddle.
Engelhard.	Rollins.
Few.	Smith.
Graves.	Stanfield.
Haag.	Sullivant.
Hester.	Tennyson.
Hunt.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 931 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 936 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, House Bill No. 936, relative to the taking of minnows from the fresh waters of Panola County.

The bill was read second time.

Mr. Celaya offered the following amendment to the bill:

Amend House Bill No. 936 by adding after the word "Panola" the word "Rusk," where the word "Panola" appears on the bill.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 936 was then passed to engrossment.

## HOUSE BILL NO. 936 ON THIRD READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 936 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Latham.
Baker.	Leonard.
Bedford.	Lindsey.
Bourne.	Long.
Burns.	Lotief.
Calvert.	Mackay.
Camp.	Magee.
Canon.	McClain.
Cathey.	Merritt.
Celaya.	Metcalfe.
Chastain.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Nicholson.
Dean.	Palmer.
Dunlap.	Parkhouse.
Dunagan.	Patterson.
Fain.	Pavlica.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Ray.
Good.	Reed of Bowie
Goodman.	Renfro.
Greathouse.	Roberts.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Harman.	Rollins.
Harris.	Ross.
Harrison.	Russell.
Hartzog.	Savage.
Head.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hodges.	Shults.
Holekamp.	Steward.
Holland.	Stovall.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Wood.

Nays—1

Rogers of Hunt.

Absent

Alexander.	Bradley.
Barrett.	Butler.
Barron.	Caven.
Beck.	Clayton.

Colson.	McDougald.
Devall.	McGregor.
Duvall.	McKee.
Dwyer.	Munson.
Engelhard.	Pope.
Few.	Reed of Dallas.
Graves.	Riddle.
Haag.	Smith.
Hester.	Stanfield.
Holloway.	Stinson.
Hunt.	Sullivant.
Johnson	Van Zandt.
of Anderson.	Weinert.
Mathis.	Winningham.
McCullough.	Young.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 936 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Hicks.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holland.
Baker.	Holloway.
Bedford.	Hoskins.
Bourne.	Huddleston.
Burns.	Hughes.
Calvert.	Hyder.
Camp.	Jackson.
Canon.	James.
Cathey.	Jefferson.
Celaya.	Jones of Atascosa.
Chastain.	Jones of Runnels.
Coombes.	Jones of Shelby.
Crossley.	Kayton.
Daniel.	Kyle of Hays.
Dean.	Kyle of Palo Pinto.
Dunlap.	Laird.
Dunagan.	Latham.
Engelhard.	Leonard.
Fain.	Long.
Ford.	Lotief.
Fuchs.	Mackay.
Glass.	Magee.
Golson.	McClain.
Good.	Merritt.
Goodman.	Metcalfe.
Greathouse.	Mitcham.
Griffith.	Moffett.
Hankamer.	Moore.
Harman.	Morrison.
Harris.	Morse.
Hartzog.	Nicholson.
Head.	Parkhouse.

Patterson.	Steward.
Pavlica.	Stinson.
Ramsey.	Stovall.
Ratliff.	Tarwater.
Ray.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Tillery.
Roberts.	Townsend.
Rogers	Turlington.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Ross.	Wagstaff.
Russell.	Walker.
Savage.	Wells.
Scott.	Winningham.
Shannon.	Wood.
Shults.	Young.

## Nays—2

Devall.	Rogers of Hunt.
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## Present—Not Voting

Puryear.

## Absent

Alexander.	Hunt.
Barrett.	Johnson
Barron.	of Anderson.
Beck.	Lindsey.
Bradley.	Mathis.
Butler.	McCullough.
Caven.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Cowley.	Munson.
Davidson.	Palmer.
Duvall.	Pope.
Dwyer.	Reed of Bowie.
Few.	Riddle.
Graves.	Scarborough.
Haag.	Smith.
Harrison.	Stanfield.
Hester.	Sullivant.
Hill of Brazoria.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

## HOUSE BILL NO. 941 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 941, A bill to be entitled "An Act to amend Chapter 35, of the Acts of the Third Called Session of the Forty-second Legislature, the same being an Act to conserve fish in Angelina, Attoyoc, Sabine, and Neches Rivers and their tributaries in cer-

tain counties by permitting the use of nets of a certain size in certain counties, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 941 ON THIRD READING

Mr. Laird moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 941 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Jefferson.
Anderson	Jones of Atascosa.
of Bexar.	Jones of Runnels.
Baker.	Jones of Shelby.
Bourne.	Kayton.
Burns.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Latham.
Cathey.	Leonard.
Celaya.	Lindsey.
Chastain.	Long.
Coombes.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Davidson.	Mathis.
Dean.	Merritt.
Devall.	Metcalf.
Dunagan.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Nicholson.
Good.	Parkhouse.
Goodman.	Patterson.
Greathouse.	Pavlica.
Griffith.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Harrison.	Reed of Bowie.
Hartzog.	Renfro.
Head.	Roberts.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Holland.	Ross.
Holloway.	Russell.
Hoskins.	Savage.
Huddleston.	Scarborough.
Hughes.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Steward.

Stinson.  
Stovall.  
Tarwater.  
Thomas.  
Tillery.  
Townsend.  
Turlington.

Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Wells.  
Wood.  
Young.

### Absent

Alexander.	Hunt.
Alsup.	Johnson
Barrett.	of Anderson.
Barron.	McClain.
Beck.	McCullough.
Bedford.	McDougald.
Bradley.	McGregor.
Butler.	McKee.
Caven.	Munson.
Clayton.	Palmer.
Colson.	Pope.
Daniel.	Reed of Dallas.
Dunlap.	Riddle.
Duvall.	Smith.
Dwyer.	Stanfield.
Engelhard.	Sullivant.
Few.	Tennyson.
Graves.	Weinert.
Haag.	Winningham.
Hester.	

### Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 941 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104 ●

Adamson.	Dunagan.
Alsup.	Fain.
Anderson	Ford.
of Bexar.	Fuchs.
Baker.	Glass.
Beck.	Golson.
Bedford.	Good.
Bourne.	Goodman.
Burns.	Greathouse.
Calvert.	Griffith.
Camp.	Hankamer.
Canon.	Harris.
Cathey.	Hartzog.
Celaya.	Head.
Chastain.	Hicks.
Coombes.	Hill of Brazoria.
Cowley.	Hodges.
Crossley.	Holekamp.
Daniel.	Holland.
Davidson.	Hoskins.
Dean.	Huddleston.

Hughes.	Pavlica.
Hyder.	Ramsey.
Jackson.	Ratliff.
James.	Ray.
Jefferson.	Reed of Bowie.
Jones of Atascosa.	Renfro.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers
Kayton.	of Ochiltree.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Ross.
Laird.	Russell.
Latham.	Savage.
Leonard.	Scarborough.
Lindsey.	Scott.
Long.	Shannon.
Lotief.	Shults.
Mackay.	Stanfield.
Magee.	Steward.
Mathis.	Stinson.
McClain.	Stovall.
Merritt.	Tarwater.
Metcalfe.	Thomas.
Mitcham.	Tillery.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Van Zandt.
Morse.	Wagstaff.
Nicholson.	Walker.
Palmer.	Wells.
Parkhouse.	Winningham.
Patterson.	Wood.

## Present—Not Voting

Puryear.

## Absent

Alexander.	Holloway.
Barrett.	Hunt.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	McCullough.
Caven.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Devall.	Munson.
Dunlap.	Pope.
Duvall.	Reed of Dallas.
Dwyer.	Riddle.
Engelhard.	Rogers of Hunt.
Few.	Smith.
Graves.	Sullivant.
Haag.	Tennyson.
Harman.	Vaughan.
Harrison.	Weinert.
Hester.	Young.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

HOUSE BILL NO. 942 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 942, A bill to be entitled "An Act repealing Chapter 139, House Bill No. 458, as enacted by the Regular Session of the Thirty-sixth Legislature, as shown on page 256, et seq., of the Session Acts, which created the Eighty-eighth Judicial District Court; validating and continuing all causes, processes, writs, bonds, and recognizances, and making them pending, answerable, and returnable, and valid in the Ninety-first Judicial District Court; and declaring an emergency."

The bill was read second time.

Mr. Van Zandt offered the following amendment to the bill:

Amend House Bill No. 942 by striking out of Section 1, in the last line thereof, all after the word "be," and substituting in lieu thereof the following: "from and after the first day of January, A. D. 1937, in all things repealed and have no further force or effect"; and amend the caption to conform herewith.

The amendment was adopted.

House Bill No. 942 was then passed to engrossment.

HOUSE BILL NO. 942 ON THIRD  
READING

Mr. Chastain moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 942 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Cowley.
Alsup.	Daniel.
Anderson	Davidson.
of Bexar.	Dean.
Baker.	Devall.
Beck.	Dunlap.
Bedford.	Dunagan.
Bourne.	Fain.
Burns.	Ford.
Calvert.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Cathey.	Goodman.
Celaya.	Greathouse.
Chastain.	Griffith.
Coombes.	Hankamer.



Harman.	Nicholson.
Harris.	Palmer.
Harrison.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hicks.	Puryear.
Hill of Brazoria.	Ramsey.
Hodges.	Ratliff.
Holekamp.	Ray.
Holland.	Reed of Bowie.
Holloway.	Renfro.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hyder.	of Ochiltree.
Jackson.	Rollins.
James.	Ross.
Jefferson.	Russell.
Jones of Atascosa.	Savage.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Scott.
Kayton.	Shannon.
Kyle of Hays.	Shults.
Kyle of Palo Pinto.	Stanfield.
Laird.	Steward.
Latham.	Stinson.
Leonard.	Stovall.
Lindsey.	Tarwater.
Lotief.	Thomas.
Mackay.	Tillery.
Magee.	Townsend.
Mathis.	Turlington.
McClain.	Van Zandt.
Merritt.	Vaughan.
Metcalfe.	Wagstaff.
Mitcham.	Walker.
Moffett.	Wells.
Moore.	Winningham.
Morrison.	Wood.
Morse.	Young.

## Nays—2

Crossley.	Good.
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## Absent

Alexander.	Johnson
Barrett.	of Anderson.
Barron.	Long.
Bradley.	McCullough.
Butler.	McDougald.
Caven.	McGregor.
Clayton.	McKee.
Colson.	Munson.
Duvall.	Pope.
Dwyer.	Reed of Dallas.
Engelhard.	Riddle.
Few.	Smith.
Graves.	Sullivant.
Haag.	Tennyson.
Hester.	Weinert.
Hunt.	

## Absent—Excused

Aikin.	Fisher.
Anderson	Hill of Webb.
of Johnson.	

Johnson	Lemens.
of Dimmit.	Reader.

The Speaker then laid House Bill No. 942 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 951 ON SECOND READING

Mr. Beck moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 951 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Bexar.	Hyder.
Baker.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Jones of Atascosa.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Celaya.	Laird.
Chastain.	Latham.
Coombes.	Leonard.
Cowley.	Lindsey.
Crossley.	Lotief.
Daniel.	Mackay.
Davidson.	Magee.
Dean.	Mathis.
Dunlap.	McClain.
Dunagan.	Merritt.
Fain.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Nicholson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Pope.
Harrison.	Puryear.
Hartzog.	Ramsey.
Head.	Ratliff.
Hicks.	Ray.
Hill of Brazoria.	Reed of Bowie.
Hodges.	Renfro.
Holekamp.	Roberts.
Holloway.	Rogers of Hunt.

Rogers	Tarwater.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Wells.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.
Stovall.	

## Absent

Alexander.	Holland.
Barrett.	Hunt.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Long.
Caven.	McCullough.
Clayton.	McDougald.
Colson.	McGregor.
Devall.	McKee.
Duvall.	Munson.
Dwyer.	Reed of Dallas.
Engelhard.	Riddle.
Few.	Smith.
Graves.	Sullivant.
Haag.	Tennyson.
Hester.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 951, A bill to be entitled "An Act amending Section or Subdivision 102, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; and changing the length of the terms of the district court in the counties in the said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; etc.; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 951 ON THIRD READING

The Speaker then laid House Bill No. 951 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Laird.
Alsup.	Latham.
Anderson	Leonard.
of Bexar.	Lindsey.
Baker.	Long.
Bedford.	Lotief.
Bourne.	Mackay.
Burns.	Magee.
Calvert.	McClain.
Camp.	Merritt.
Canon.	Metcalfe.
Celaya.	Mitcham.
Chastain.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Patterson.
Dunagan.	Pavlica.
Fain.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Renfro.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Harris.	Russell.
Harrison.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Holloway.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hyder.	Townsend.
Jackson.	Turlington.
James.	Van Zandt.
Jefferson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

## Present—Not Voting

Puryear.

## Absent

Alexander.	Hester.
Barrett.	Hunt.
Barron.	Johnson
Beck.	of Anderson.
Bradley.	Mathis.
Butler.	McCullough.
Cathey.	McDougald.
Caven.	McGregor.
Clayton.	McKee.
Colson.	Munson.
Dunlap.	Pope.
Duvall.	Reed of Dallas.
Dwyer.	Riddle.
Engelhard.	Smith.
Few.	Stanfield.
Graves.	Sullivant.
Haag.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

HOUSE BILL NO. 952 ON SECOND  
READING

Mr. Beck moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 952 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson.	Fain.
Alsup.	Fuchs.
Anderson	Glass.
of Bexar.	Golson.
Baker.	Good.
Beck.	Goodman.
Bedford.	Greathouse.
Bourne.	Hankamer.
Burns.	Harman.
Calvert.	Harris.
Camp.	Harrison.
Canon.	Hartzog.
Celaya.	Head.
Chastain.	Hill of Brazoria.
Coombes.	Hodges.
Crossley.	Holekamp.
Daniel.	Holland.
Davidson.	Holloway.
Dean.	Hoskins.
Devall.	Huddleston.
Dunlap.	Hughes.
Dunagan.	Hyder.

Jackson.	Reed of Bowie.
James.	Renfro.
Jefferson.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kayton.	Rollins.
Kyle of Hays.	Ross.
Kyle of Palo Pinto.	Russell.
Laird.	Savage.
Latham.	Scarborough.
Leonard.	Scott.
Lindsey.	Shannon.
Long.	Shults.
Lotief.	Stanfield.
Mackay.	Steward.
Magee.	Stinson.
Merritt.	Stovall.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Tillery.
Morrison.	Townsend.
Morse.	Turlington.
Nicholson.	Van Zandt.
Palmer.	Vaughan.
Patterson.	Wagstaff.
Pavlica.	Walker.
Pope.	Wells.
Puryear.	Winningham.
Ramsey.	Wood.
Ratliff.	Young.
Ray.	

## Absent

Alexander.	Hester.
Barrett.	Hicks.
Barron.	Hunt.
Bradley.	Johnson
Butler.	of Anderson.
Cathey.	Mathis.
Caven.	McClain.
Clayton.	McCullough.
Colson.	McDougald.
Cowley.	McGregor.
Duvall.	McKee.
Dwyer.	Munson.
Engelhard.	Parkhouse.
Few.	Reed of Dallas.
Ford.	Riddle.
Graves.	Smith.
Griffith.	Sullivant.
Haag.	Weinert.

## Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid before the House on its second reading and passage to engrossment,

H. B. No. 952, A bill to be entitled  
"An Act amending Section or Sub-

division 5, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of court of the District Court of the Fifth Judicial District of Texas; and changing the length of the terms of the district court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act; etc.; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 952 ON THIRD READING

The Speaker then laid House Bill No. 952 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Adamson.	Holekamp.
Alsup.	Holland.
Anderson	Holloway.
of Bexar.	Hoskins.
Baker.	Huddleston.
Beck.	Hughes.
Bourne.	Hyder.
Burns.	Jackson.
Calvert.	James.
Camp.	Jefferson.
Canon.	Jones of Atascosa.
Celaya.	Jones of Runnels.
Chastain.	Jones of Shelby.
Coombes.	Kayton.
Daniel.	Kyle of Hays.
Davidson.	Kyle of Palo Pinto.
Dean.	Laird.
Devall.	Latham.
Dunlap.	Leonard.
Dunagan.	Lindsey.
Fain.	Long.
Ford.	Lotief.
Fuchs.	Mackay.
Glass.	Magee.
Golson.	Merritt.
Good.	Metcalfe.
Goodman.	Mitcham.
Greathouse.	Moffett.
Hankamer.	Moore.
Harman.	Morrison.
Harris.	Morse.
Harrison.	Nicholson.
Hartzog.	Palmer.
Head.	Parkhouse.
Hicks.	Patterson.
Hill of Brazoria.	Pavlica.
Hodges.	Pope.

Puryear.	Shults.
Ramsey.	Steward.
Ratliff.	Stinson.
Ray.	Stovall.
Reed of Bowie.	Tarwater.
Renfro.	Thomas.
Roberts.	Tillery.
Rogers of Hunt.	Townsend.
Rogers	Turlington.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Ross.	Wagstaff.
Russell.	Walker.
Savage.	Wells.
Scarborough.	Winningham.
Scott.	Young.
Shannon.	

### Absent

Alexander.	Hester.
Barrett.	Hunt.
Barron.	Johnson
Bedford.	of Anderson.
Bradley.	Mathis.
Butler.	McClain.
Cathey.	McCullough.
Caven.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Cowley.	Munson.
Crossley.	Reed of Dallas.
Duvall.	Riddle.
Dwyer.	Smith.
Engelhard.	Stanfield.
Few.	Sullivant.
Graves.	Tennyson.
Griffith.	Weinert.
Haag.	Wood.

### Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

### HOUSE BILL NO. 925 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 925, A bill to be entitled "An Act to invest within the Board of Control the authority to make such oil and gas or mineral lease of certain land in Polk County, Texas, now owned and occupied by the Alabama and Coushatti Indians; providing for notice to be given of intention to make such lease; providing for lease to be let for highest sum offered, and for the money, so received in payment of lease, to be placed in the State Treasury to the credit of said In-

dians, to be spent by and within the discretion of the Board of Control; and declaring an emergency."

The bill was read second time.

Mr. McClain offered the following amendment to the bill:

Amend House Bill No. 925 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. The Board for Lease of Eleemosynary and State Memorial Lands, created by Chapter 32, General Laws, Fourth Called Session of the Forty-first Legislature, is hereby authorized to lease for oil and gas development the lands set apart and donated to the Alabama Indian tribe, in Polk County, Texas, by Chapter 54, Special Laws of the State of Texas, passed by the Fifth Legislature, in 1854. Leases executed on said Indian lands by the Board for Lease of Eleemosynary and State Memorial Lands shall be after advertisement and on the terms and conditions provided for and required by Chapter 32, General Laws, Fourth Called Session, Forty-first Legislature, dealing with other State eleemosynary lands.

"Sec. 2. The Board for Lease of Eleemosynary and State Memorial Lands may execute pipe line right of way easements across said lands so set apart to said Indian tribe, under and in accordance with the terms and provisions applicable to other State lands, set out in House Bill No. 6, Acts of the Regular Session, Forty-third Legislature, which said Act became effective April 15, 1933.

"Sec. 3. All income received from pipe line right of way easements, or from oil and gas leases and development, either as bonus, rental, or royalty, or otherwise, shall be deposited in the State Treasury in a special fund to be known as the 'Alabama and Coushatti Indian Fund,' and shall be held for the use or distribution, as the Legislature may in the future provide, and as the income from said oil and gas development of said properties may justify.

"Sec. 4. The fact that there are producing oil wells in Polk County within a short distance of this Indian reservation, and the further fact that the Act of 1854, setting apart and donating this land to said Indian tribe, prohibits leasing, renting, or alienating

said lands by said Indian tribe create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted."

Mr. Beck offered the following amendment to the amendment:

Amend amendment to House Bill No. 925 by inserting a new Section, to be numbered Section 3-a, and to read as follows:

"With the approval of the Attorney General of Texas."

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the amendment:

Amend amendment to House Bill No. 925 by striking out the last three words in line 39, page 1, all of line 40, page 1, and lines 1, 2, and 3, page 2, of the printed bill, and inserting in lieu thereof the following:

"One-half of all bonus, rentals, and royalties, from said lands shall be placed in the State Treasury to the credit of the Alabama and Coushatti Indians, to be spent by and within discretion of the Board of Control, and the remaining one-half of said bonus, rentals, and royalties shall be placed in the State Treasury to the credit of the Available School Fund."

WAGSTAFF,  
HANKAMER.

#### SENATE BILL NO. 4 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 4, A bill to be entitled "An Act to amend Article 5006, of the Revised Civil Statutes of Texas, of 1925, so as to include the bonds or other interest-bearing evidence of indebtedness of navigation districts among those in which insurance companies are authorized to invest their funds; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 531 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 531, A bill to be entitled "An Act amending Article 6674-n, Revised Civil Statutes of 1925, as amended by Chapter 10, Acts of the Third Called Session of the Forty-first Legislature, and Chapter 79, Acts of the Fifth Called Session of the Forty-first Legislature, so as to authorize the State Highway Commission, or the commissioners court, to condemn land not more than 100 feet in width for stream-bed diversion, in connection with the locating, relocating, or construction of a designated State highway; and declaring an emergency."

The bill was read second time.

Mr. Griffith offered the following amendments to the bill:

(1)

Amend Senate Bill No. 531, Article 6674-n, on page 1, by adding, at the end of the ninth (9th) line in said Article, after the word "the," the following: "county commissioners court." And strike out the words "State of Texas," in line 10, and the two sentences following, on pages 1 and 2, down to the last sentence of said paragraph, beginning with the word "Provided," etc.

(2)

Amend Senate Bill No. 531, on page 2, the second paragraph under Article 6674-n, by striking out the entire last sentence of said paragraph.

(3)

Amend caption to Senate Bill No. 531, in lines 4 and 5, by striking out the words "the State Highway Commission or"

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 531 was then passed to third reading.

SENATE BILL NO. 337 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 337, A bill to be entitled "An Act to authorize the State Highway Commission of Texas to construct, operate, and maintain, out of funds available for that purpose, highway bridges over and across the intracoastal waterway of Louisiana and Texas; and declaring an emergency."

The bill was read second time, and was passed to third reading.

HOUSE BILL NO. 132 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 132, A bill to be entitled "An Act providing that all goods, wares, and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal and/or reformatory institutions, transported into the State of Texas, and remaining therein for use, consumption, sale, or storage, shall, upon arrival and delivery in the State of Texas, be subject to the operation and effect of the laws of the State of Texas; etc."

The bill was read second time.

Mr. Anderson of Bexar offered the following amendment to the bill:

Amend House Bill No. 132 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. All goods, wares, and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners (except convicts or prisoners on parole, probation, or furlough), in any penal institution outside of the State of Texas, and transported into the State of Texas, and remaining therein for use, consumption, sale, or storage, shall, upon arrival and delivery in the State of Texas, be subject to the operation and effect of the laws of the State of Texas to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in the State of Texas, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

"Sec. 2. This Act shall take effect on January 19, 1934.

"Sec. 3. Due to the crowded condition of the calendar and the necessity of passing this law during the present session there exists an emergency and an imperative public necessity requiring the suspension of the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and the rule is hereby suspended, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 132 was then passed to engrossment.

### HOUSE BILL NO. 132 ON THIRD READING

Mr. Anderson of Bexar moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 132 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Hicks.
Alsup.	Hill of Brazoria.
Anderson	Hodges.
of Bexar.	Holekamp.
Baker.	Holland.
Beck.	Holloway.
Bedford.	Hoskins.
Bourne.	Huddleston.
Burns.	Hughes.
Calvert.	Hyder.
Camp.	Jackson.
Canon.	James.
Celaya.	Jefferson.
Chastain.	Jones of Atascosa.
Crossley.	Jones of Runnels.
Dean.	Jones of Shelby.
Dunlap.	Kayton.
Dunagan.	Kyle of Hays.
Engelhard.	Kyle of Palo Pinto.
Fain.	Laird.
Ford.	Latham.
Fuchs.	Leonard.
Glass.	Lindsey.
Golson.	Long.
Good.	Lotief.
Goodman.	Mackay.
Greathouse.	Magee.
Griffith.	Mathis.
Hankamer.	McClain.
Harman.	Metcalf.
Harris.	Mitcham.
Harrison.	Moffett.
Hartzog.	Moore.
Head.	Morrison.

Morse.	Ross.
Nicholson.	Russell.
Palmer.	Savage.
Parkhouse.	Scarborough.
Patterson.	Shannon.
Pavlica.	Shults.
Puryear.	Stanfield.
Ramsey.	Steward.
Ratliff.	Stovall.
Ray.	Townsend.
Reed of Bowie.	Turlington.
Renfro.	Van Zandt.
Roberts.	Wagstaff.
Rogers of Hunt.	Walker.
Rogers	Wells.
of Ochiltree.	Winningham.
Rollins.	Young.

Nays—3

Stinson.	Vaughan.
Thomas.	

Present—Not Voting

Wood.

Absent

Alexander.	Hunt.
Barrett.	Johnson
Barron.	of Anderson.
Bradley.	McCullough.
Butler.	McDougald.
Cathey.	McGregor.
Caven.	McKee.
Clayton.	Merritt.
Colson.	Munson.
Coombes.	Pope.
Cowley.	Reed of Dallas.
Daniel.	Riddle.
Davidson.	Scott.
Devall.	Smith.
Duvall.	Sullivant.
Dwyer.	Tarwater.
Few.	Tennyson.
Graves.	Tillery.
Haag.	Weinert.
Hester.	

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 132 before the House on its third reading and final passage.

The bill was read third time, and was passed.

### SENATE BILL NO. 559 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 559, A bill to be entitled "An Act providing that where as a result of improvements made by the Federal Government on lands owned by the State or by any city or county of the State, under the provisions of an Act of Congress approved March 31, 1933, and being entitled 'An Act for the relief of unemployment through the performance of useful public work and other purposes,' there accrues to the State on a sale of said land or its products a profit from the improvements so made, said profits so resulting from said improvements shall be divided equally between the State and the Federal Government upon certain conditions; exempting from the provisions of this Act lands held by the State or by any county of the State for public free school or university purposes; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### HOUSE BILL NO. 468 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 468, A bill to be entitled "An Act regulating the size of shrimp and fish to be taken and sold from the salt waters of this State; providing a closed season on salt water terrapin; making it unlawful to take or sell female crabs with eggs attached; providing it shall be unlawful to use seines or nets in or on any of the tidal waters of this State, where said nets are prohibited from being used in taking fish or shrimp, and fixing the size of mesh of seines or nets to be used in such waters where they are not prohibited; providing that the title to oyster shells shall remain in the State, fixing a minimum price for which they may be sold, and specifying the receipts from sale of oysters shall be deposited to the credit of the Special Game Fund; repealing all laws in conflict herewith and especially Articles 929, 930, 937, 937-a, 938, 941, 945, 950, and 952-1-3, of the Penal Code of the State of Texas, and declaring an emergency."

The bill was read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 468 by striking out all of last line on page 4,

after the word "counties," and by striking out, on line 1, page 5, down to the comma after the word "county."

The amendment was adopted.

Mr. Roberts offered the following amendment to the bill:

Amend House Bill No. 468 by striking out, on page 2, line 20, the words and figures "fourteen (14)," and insert in lieu thereof the following "twelve (12)."

The amendment was adopted.

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 468, page 1, line 27, by changing the word "tial" to read "tail."

The amendment was adopted.

Mr. Roberts offered the following amendment to the bill:

Amend House Bill No. 468 by striking out, on page 1, line 26, the words and figures "five and one-half (5½)," and inserting in lieu thereof the following: "five (5)."

The amendment was adopted.

Mr. Celaya offered the following amendment to the bill:

Amend House Bill No. 468 by striking out, on page 4, all of line 29, after the word "counties," all of lines 30 and 31, and all of line 32 to the semicolon after the word "island."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 468 was then passed to engrossment.

#### HOUSE BILL NO. 468 ON THIRD READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 468 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Bourne.
Alsup.	Burns.
Anderson	Calvert.
of Bexar.	Camp.
Baker.	Canon.
Beck.	Cathey.



Chastain.	McClain.
Coombes.	Merritt.
Crossley.	Metcalfe.
Davidson.	Mitcham.
Dean.	Moffett.
Dunagan.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Ford.	Nicholson.
Fuchs.	Palmer.
Glass.	Parkhouse.
Golson.	Patterson.
Good.	Pavlica.
Goodman.	Puryear.
Greathouse.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Harrison.	Renfro.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hicks.	Rogers
Hill of Brazoria.	of Ochiltree.
Hodges.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Hoskins.	Savage.
Huddleston.	Scarborough.
Hughes.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Steward.
Jefferson.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Van Zandt.
Latham.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Wells.
Mackay.	Wood.
Magee.	Young.
Mathis.	

Nays—1

Lotief.

Absent

Alexander.	Duvall.
Barrett.	Dwyer.
Barron.	Few.
Bedford.	Graves.
Bradley.	Griffith.
Butler.	Haag.
Caven.	Hester.
Celaya.	Holloway.
Clayton.	Hunt.
Colson.	Johnson
Cowley.	of Anderson.
Daniel.	McCullough.
Devall.	McDougald.
Dunlap.	McGregor.

McKee.	Stanfield.
Munson.	Sullivant.
Pope.	Tarwater.
Reed of Dallas.	Weinert.
Riddle.	Winningham.
Smith.	

Absent—Excused

Aikin.	Johnson
Anderson	of Dimmit.
of Johnson.	Lemens.
Fisher.	Reader.
Hill of Webb.	

The Speaker then laid House Bill No. 468 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 571, to the Committee on Municipal and Private Corporations.

## ADJOURNMENT

On motion of Mr. Chastain, the House, at 10:05 o'clock p. m., adjourned until 9:30 o'clock a. m., Thursday, May 25, 1933.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Education: Senate Bill No. 340.

Counties: Senate Bill No. 357.

State Affairs: House Concurrent Resolutions Nos. 90 and 54.

Judiciary: House Bill No. 946, and Senate Bill No. 227.

Revenue and Taxation: House Bill No. 949.

Criminal Jurisprudence: House Bill No. 950.

The Committee on Judiciary filed an adverse report on Senate Bill No. 28.

REPORT OF THE COMMITTEE ON  
ENGROSSED BILLS

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 949, A bill to be entitled  
"An Act amending Article 7105, Re-  
vised Civil Statutes, 1925, and the  
amendment thereto contained in Sec-  
tion 12, of House Bill No. 154, Acts of  
the Forty-third Legislature, and Ar-  
ticles 7107 and 7111, Revised Civil  
Statutes, 1925, so as to include within  
the provisions of said Articles, which  
impose intangible assets tax upon cer-  
tain persons, associations, and corpo-  
rations, oil pipe-line companies, gas  
pipe-line companies, and common car-  
rier pipe-line companies of every  
character whatsoever engaged in the  
transportation of oil and/or gas, doing  
business wholly or in part within this  
State, and every other individual, com-  
pany, corporation, association, or firm  
doing business of the same character  
in this State; providing if any part of  
this Act is declared unconstitutional  
or invalid, it shall not affect the valid-  
ity of the remainder of the Act; and  
declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 176, A bill to be entitled  
"An Act making an appropriation to  
reimburse growers and producers of  
cotton for expenses incurred during  
the years of 1929 through 1932, by  
reason of the establishment by the  
State of Texas of regulations requir-  
ing such growers and producers to  
pay for fumigation of cotton and  
sterilization of seed, and also to pay  
expenses of the Compensation Claim  
Board in carrying out the provisions  
of this Act; providing no claim shall  
be paid from this fund unless same  
has been allowed by the Compensation  
Claim Board or by judgment as pro-  
vided in Chapter 3, Title 4, Revised  
Civil Statutes of Texas of 1925, and  
as provided in Chapter 42, Acts of the

Regular Session, Forty-first Legisla-  
ture; providing none of said fund shall  
be used to reimburse anyone for land  
not planted to cotton by order of the  
Pink Boll Worm Commission creating  
a non-cotton zone; providing that the  
certificate of the chairman of the  
Board, approved by the State Com-  
missioner of Agriculture, shall be suf-  
ficient evidence to the Comptroller,  
from which he shall audit the claims  
of persons, firms, and corporations  
and members of the Compensation  
Claim Board for the issuance of war-  
rants to cover the respective amounts;  
providing if any part of this Act is  
declared unconstitutional or invalid, it  
shall not affect the validity of the re-  
mainder; providing no money herein  
appropriated shall be paid for commis-  
sion or fees to any person for secur-  
ing passage of this bill; providing if  
money herein appropriated is insuffi-  
cient to pay the claims of all growers  
and producers in full, then it shall be  
prorated, and each claim shall be con-  
sidered as fully paid; and declaring an  
emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 950, A bill to be entitled  
"An Act prohibiting certain practices  
in the production of oil and gas with-  
in this State; defining the terms 'per-  
son,' 'governmental agent,' 'govern-  
mental agency,' and 'oil property';  
providing for the accurate measure-  
ment and accurate recording daily  
by all producers of oil and gas of the  
amount of daily production before re-  
linquishing possession or control  
thereof by the producer; prohibiting  
the use of any method or device to  
evade or prevent accurate measure-  
ment; prohibiting the removing of  
oil from the possession or control of  
producer except from tank or tanks  
under his control; providing for ac-  
cess by governmental agency at all  
times for inspection and examination  
of all oil properties and likewise pro-  
viding for access by governmental  
agency for inspection, examination,  
and audit of the records pertaining  
to all oil properties; prohibiting the  
refusal to permit such governmental

agency to have access to all oil properties for inspection and examination and prohibiting any person from interfering with such inspection and examination, and prohibiting the removal, tampering with, mutilation or destruction of any device, seal or meter placed on such oil property or used in such inspection and examination by such governmental agency; prohibiting the equipment or enclosure of oil property or any part, in such manner as to prevent such inspection and examination, and to prevent such inspection and examination from revealing the true facts with respect to the manner of producing, storing, or delivering oil from such property; providing for identifying by posted signs in the English language of all oil properties, oil tanks, and flares; providing for the burning of flares to prevent the escape in open air of gas while the well producing oil and gas is being produced; providing it shall be unlawful for any person owning, leasing, operating, producing, or controlling any oil property, to produce oil in excess of the amount allowed to be produced per day under any order of the governmental agency, in force at the time; providing it shall be unlawful for any person to corruptly give, offer, or promise to give any member of the governmental agency, chief supervisor, deputy supervisor, or any agent or employee thereof, any gift or gratuity with intent to influence any such officer or person; providing for the adoption, promulgation, amendment, repeal, alteration and modification, and the publication of notice of rules and regulations by the governmental agency, to provide methods and devices for measuring production of oil and gas, and for inspection of oil properties and measuring devices, and the measurement before surrendering possession thereof, and for the installation and use of flares, and for the keeping of records and the furnishing of reports and for inspection and examination by such agency of such oil properties and records; providing for the admissibility in evidence of certificates from such governmental agency of the adoption and terms of any such rule, regulation, or order and that such certificates shall be prima facie evidence of all facts disclosed in such certificates; providing for the con-

tents of records and reports, and providing that the governmental agency may prescribe the form thereof; providing that the provisions of this Act, with respect to its provisions and remedies shall be cumulative of all other laws; defining 'offense' under this Act, and providing penalties; providing for jurisdiction in the courts of the counties where the property or any part thereof is situated with respect to which property an offense under this Act is charged; and providing for the service of process in all suits or actions involving enforcement of the conservation laws or the orders of the Railroad Commission by authorizing all Texas Rangers and all agents of the Commission to serve any civil or judicial process as effectively as a sheriff or constable of a county could within the limits of his own county; and providing for the execution of such process anywhere within the State of Texas and for the making of a return by such Ranger or agent; and providing that no fees shall be allowed such Rangers or agents other than their regular salary or compensation; declaring the legislative intent to enact each provision hereof independently of the others, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 893, "An Act providing for the taking of fish from the fresh waters of Cooke County, Texas, and making it unlawful to take any such fish, except by ordinary hook and line, or by seine or net, the mesh of which is less than one and one-half (1½) inches square; provided that seines and nets may be used only during the month of August; providing when a seine is used during the month of August, it shall be used only to seine fish for propagation purposes; providing seining shall be under the supervision of a game warden; providing nothing herein shall be construed to prohibit use of a seine not

more than twenty (20) feet in length to seine for bait; and making it unlawful to take or possess any such fish for the purpose of sale; fixing penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 895, "An Act making it unlawful for any person to hunt, trap, kill, or attempt to kill, by any means whatsoever, any wild turkey in the Counties of Guadalupe and Comal for a period of five (5) years; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 66, Granting permission to A. C. Reissig, W. L. Lamb, Charlie A. Johnson, T. C. Laws, J. E. Snowden, and Oscar Wynn, or their legal representatives to bring suit against the State of Texas and/or the County of Travis,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 938, "An Act amending Article 1456 of the Penal Code of the State of Texas, 1925, so as not to exempt Angelina, Tyler, Jasper, and Newton Counties from the provisions of certain articles of the Penal Code, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 95, Authorizing the Enrolling Clerk to correct certain typographical errors in House Concurrent Resolution No. 66,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 23, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 887, "An Act providing for rural school supervisors in certain counties, in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing the salaries of said supervisors and how they shall be paid; prescribing other things incidental to said purpose, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 950, "An Act prohibiting certain practices in the production of oil and gas within this State; defining the terms 'person,' 'governmental agent,' 'governmental agency,' and 'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; prohibiting the use of any method or device to evade or prevent accurate measurement; prohibiting the removing of oil from the possession or control of producer except from tank or tanks under his control; providing for access by governmental agency at all times for inspection and examination of all oil properties and likewise providing for access by governmental agency for inspection, examination, and audit of

the records pertaining to all oil properties; prohibiting the refusal to permit such governmental agency to have access to all oil properties for inspection and examination and prohibiting any person from interfering with such inspection and examination, and prohibiting the removal, tampering with, mutilation, or destruction of any device, seal, or meter placed on such oil property or used in such inspection and examination by such governmental agency; prohibiting the equipment or enclosure of oil property or any part, in such manner as to prevent such inspection and examination, and to prevent such inspection and examination from revealing the true facts with respect to the manner of producing, storing, or delivering oil from such property; providing for identifying, by posted signs in the English language, of all oil properties, oil tanks, and flares; providing for the burning of flares to prevent the escape in open air of gas while the well producing oil and gas is being produced; providing it shall be unlawful for any person owning, leasing, operating, producing, or controlling any oil property, to produce oil in excess of the amount allowed to be produced per day under any order of the governmental agency, in force at the time; providing it shall be unlawful for any person to corruptly give, offer, or promise to give any member of the governmental agency, chief supervisor, deputy supervisor, or any agent or employee thereof any gift or gratuity with intent to influence any such officer or person; providing for the adoption, promulgation, amendment, repeal, alteration, and modification, and the publication of notice of rules and regulations by the governmental agency, to provide methods and devices for measuring production of oil and gas, and for inspection of oil properties and measuring devices, and the measurement before surrendering possession thereof, and for the installation and use of flares, and for the keeping of records and the furnishing of reports and for inspection and examination by such agency of such oil properties and records; providing for the admissibility in evidence of certificates from such governmental agency of the adoption and terms of any such rule, regulation, or order, and that such certificates shall be prima facie evidence of all

facts disclosed in such certificates; providing for the contents of records and reports, and providing that the governmental agency may prescribe the form thereof; providing that the provisions of this Act with respect to its provisions and remedies shall be cumulative of all other laws; defining 'offenses' under this Act and providing penalties; providing for jurisdiction in the courts of the counties where the property or any part thereof is situated with respect to which property an offense under this Act is charged; and providing for the service of process in all suits or actions involving enforcement of the conservation laws or the orders of the Railroad Commission by authorizing all Texas Rangers and all agents of the Commission to serve any civil or judicial process as effectively as a sheriff or constable of a county could within the limits of his own county; and providing for the execution of such process anywhere within the State of Texas and for the making of a return by such Ranger or agent; and providing that no fees shall be allowed such Rangers or agents other than their regular salary or compensation; declaring the legislative intent to enact each provision hereof independently of the others, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 98, Authorizing the  
Enrolling Clerk to amend the caption  
of House Bill No. 459 to conform to  
the changes made in the body of the  
bill,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

# SIXTY-NINTH DAY

(Thursday, May 25, 1933)

The House met at 9:30 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present: